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OF THE UNITED STATES

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Washington, Friday, August 19, 1949

## TITLE 3—THE PRESIDENT

### PROCLAMATION 2850

AMENDMENT OF PROCLAMATION NO. 2523  
PREScribing REGULATIONS RELATING TO  
THE CONTROL OF PERSONS ENTERING OR  
LEAVING THE UNITED STATES

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

WHEREAS Proclamation No. 2523 of November 14, 1941, issued under and by virtue of the authority vested in the President by the act of May 22, 1918, 40 Stat. 559, as amended by the act of June 21, 1941, 55 Stat. 252, prescribes regulations which impose certain restrictions and prohibitions, in addition to those otherwise provided by law, upon the departure of persons from and their entry into the United States; and

WHEREAS I find that the interests of the United States, within the meaning of the said act of June 21, 1941, and by reason of the continued existence of the conditions set forth in section 1 thereof, require that the said proclamation be amended as hereinafter set forth:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in the President by the act of Congress above mentioned, do proclaim as follows:

1. The said Proclamation No. 2523 is hereby amended so that paragraph numbered (3) thereof, together with the succeeding unnumbered paragraph, shall read as follows:

"(3) (a) After the effective date of the rules and regulations hereinafter authorized, no alien shall enter or attempt to enter the United States unless he is in possession of a valid unexpired permit to enter issued by the Secretary of State, or by an appropriate officer designated by the Secretary of State, or is exempted from obtaining a permit to enter, in accordance with rules and regulations

which the Secretary of State, with the concurrence of the Attorney General, is hereby authorized to prescribe.

"(b) No permit to enter shall be issued to an alien if it appears to the satisfaction of the issuing officer, or the Secretary of State, that the alien's entry would be prejudicial to the interests of the United States within the meaning of the rules and regulations hereinbefore authorized to be prescribed by the Secretary of State with the concurrence of the Attorney General.

"(c) Notwithstanding the provisions of the foregoing paragraphs (a) and (b), no alien applying for admission, even with a valid permit to enter, shall enter or be permitted to enter the United States if it appears to the satisfaction of the Attorney General that such entry would be prejudicial to the interests of the United States."

2. All existing regulations promulgated under or pursuant to the said Proclamation No. 2523 are hereby ratified and confirmed and shall be construed to have the same effect as if included in such proclamation: *Provided, however*, that nothing contained herein shall be deemed to limit lawful authority to amend or modify such regulations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 17th day of August in the year of our Lord nineteen hundred and [SEAL] forty-nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,  
Secretary of State.

[F. R. Doc. 49-6808; Filed, Aug. 17, 1949;  
3:18 p. m.]

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## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

#### PART 29—RETIREMENT

#### DEPARTMENT OF AGRICULTURE; MILITARY SERVICE

1. Under authority of § 6.1 (a) of Executive Order 9830, and at the request of the Department of Agriculture, the Commission has determined that the positions listed below should be excepted from the competitive service. Effective upon publication in the FEDERAL REGISTER, § 6.111 (1) is amended by the addition of a subparagraph as follows:

#### § 6.111 Department of Agriculture

##### (1) Farmers Home Administration

(5) NC/PD. Employees appointed for not to exceed one year to engage exclusively in the making and servicing of loans required as a result of floods, freezes, storms or other natural calamities: *Provided*, That an appointment may, with the prior approval of the Commission, be extended for an additional period of not to exceed one year.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600, 3 CFR, 1948 Supp.)

2. Section 29.8 (a) is amended as set out below. As amended, § 29.8 will read as follows:

§ 29.8 *Military service.* (a) Periods of honorable service in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States shall, after the employee has completed 5 years' civilian service, be credited under the retirement law. The only exception occurs in case the employee is receiving retired pay awarded for reasons other than (1) service-connected disability incurred in combat with an enemy of the United States, (2) service-connected disability incurred by explosion of an instrument of war, or (3) under Title III of the Act of June 29, 1948, Public Law 810, 80th Congress.

(b) An applicant for annuity who is in receipt of retired pay as above indicated may elect to surrender such retired pay and to have his military service added to his period of civil service for the purpose of obtaining a greater benefit in the form of annuity. Should it appear upon the adjudication of a claim for annuity that the claimant will benefit by the inclusion of military service, and the relinquishment of benefit based thereon, he shall be so advised and permitted to exercise the right of election. (Sec. 5, 62 Stat. 50; 5 U. S. C. Sup. II, 707).

(Sec. 17, 46 Stat. 478; 5 U. S. C. 709)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] FRANCES PERKINS,  
Acting President.

[F. R. Doc. 49-6722; Filed, Aug. 18, 1949; 8:45 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

### Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

#### Subchapter C—Loans, Purchases, and Other Operations

[1949 CCC Cotton Bulletin 1, Amdt. 1]

#### PART 607—COTTON

#### SUBPART—1949 COTTON LOAN PROGRAM

##### SCHEDULE OF BASE LOAN RATES FOR WAREHOUSE-STORED COTTON

The 1949 Cotton Loan Bulletin (1949 CCC Cotton Bulletin 1) (14 F. R. 3723) is hereby amended by adding § 607.27 to read as follows:

§ 607.27 *Basic loan rates by warehouse locations.* The base loan rates applicable to Middling White and Extra White <sup>1</sup>/<sub>16</sub>-inch upland cotton, under Commodity Credit Corporation's 1949 Cotton Loan Program, are as follows:

#### ALABAMA

City and county	Basis Middling White and Extra White <sup>1</sup> / <sub>16</sub> " loan rate
Abbeville, Henry	29.70
Akron, Hale	29.60
Albertville, Marshall	29.80
Alexander City, Tallapoosa	29.90
Aliceville, Pickens	29.50
Altoona, Etowah	29.90
Andalusia, Covington	29.60
Anniston, Calhoun	29.90
Arab, Marshall	29.80
Ardmore, Limestone	29.60
Ashford, Houston	29.70
Ashland, Clay	29.90
Athens, Limestone	29.60
Atmore, Escambia	29.50
Attalla, Etowah	29.90
Auburn, Lee	29.90
Banks, Pike	29.70
Bankston, Fayette	29.60
Belk, Fayette	29.60
Berry, Fayette	29.60
Birmingham, Jefferson	29.70
Blountsville, Blount	29.80
Boaz, Marshall	29.80
Boligee, Greene	29.50
Brantley, Crenshaw	29.60
Brantley, Dallas	29.60
Brent, Bibb	29.70
Brewton, Escambia	29.50
Bridgeport, Jackson	29.70
Brownstown (P. O. Henagar), Jackson	29.70
Brundidge, Pike	29.70
Butler, Choctaw	29.50
Camden, Wilcox	29.50
Camp Hill, Tallapoosa	29.90
Carbon Hill, Walker	29.60
Carrollton, Pickens	29.50
Centerville, Bibb	29.70
Chavies, De Kalb	29.80
Childersburg, Talladega	29.90
Clanton, Chilton	29.70
Clayton, Barbour	29.80
Clio, Barbour	29.80
Collinsville, De Kalb	29.80
Columbia, Houston	29.70
Columbiana, Shelby	29.80
Cooper, Chilton	29.70
Cordova, Walker	29.60
Courtland, Lawrence	29.60
Cullman, Cullman	29.70
Dadeville, Tallapoosa	29.90
Dancy, Pickens	29.50
Decatur, Morgan	29.70
Demopolis, Marengo	29.50
Detroit, Lamar	29.50
Dothan, Houston	29.70
Dozier, Crenshaw	29.60

#### ALABAMA—Continued

City and county	Basis Middling White and Extra White <sup>1</sup> / <sub>16</sub> " loan rate
Dutton, Jackson	29.70
Elba, Coffee	29.70
Elkmont, Limestone	29.60
Enterprise, Coffee	29.70
Ethelville, Pickens	29.50
Eufaula, Barbour	29.80
Eutaw, Greene	29.50
Evergreen, Conecuh	29.50
Fackler, Jackson	29.70
Fadette, Geneva	29.70
Faunsdale, Marengo	29.50
Fayette, Fayette	29.60
Florala, Covington	29.60
Florence, Lauderdale	29.50
Fort Deposit, Lowndes	29.60
Fort Payne, De Kalb	29.80
Fyffe, De Kalb	29.80
Gadsden, Etowah	29.90
Gantt, Covington	29.60
Geneva, Geneva	29.70
Georgiana, Butler	29.60
Glen Allen, Fayette	29.60
Good Water, Coosa	29.80
Gordo, Pickens	29.50
Goshen, Pike	29.70
Greensboro, Hale	29.60
Greenville, Butler	29.60
Guin, Marion	29.50
Guntersville, Marshall	29.80
Hackleburg, Marion	29.50
Haleyville, Winston	29.60
Hamilton, Marion	29.50
Hanceville, Cullman	29.70
Hartford, Geneva	29.70
Hartselle, Morgan	29.70
Headland, Henry	29.70
Heflin, Cleburne	29.90
Henagar, DeKalb	29.80
Hodges, Franklin	29.50
Hollywood, Jackson	29.70
Huntsville, Madison	29.70
Hurtsboro, Russell	29.90
Ider, DeKalb	29.80
Jacksonville, Calhoun	29.90
Jasper, Walker	29.60
Jemison, Chilton	29.70
Kennedy, Lamar	29.50
Lafayette, Chambers	29.90
Larkinsville, Jackson	29.70
Leighton, Colbert	29.50
Lester, Limestone	29.60
Linden, Marengo	29.50
Lineville, Clay	29.90
Livingston, Sumter	29.50
Louisville, Barbour	29.80
Luverne, Crenshaw	29.60
Madison, Madison	29.70
Malvern, Geneva	29.70
Maplesville, Chilton	29.70
Marion, Perry	29.60
McCullough, Escambia	29.50
Millport, Lamar	29.50
Mobile, Mobile	29.40
Monroeville, Monroe	29.50
Montevallo, Shelby	29.80
Montgomery, Montgomery	29.70
Moore's Bridge, Tuscaloosa	29.60
Moore's Valley, Wilcox	29.50
Moulton, Lawrence	29.60
Moundville, Hale	29.60
Newbern, Hale	29.60
New Brockton, Coffee	29.70
New Hope, Madison	29.70
Newville, Henry	29.70
Northport, Tuscaloosa	29.60
Notasulga, Macon	29.80
Oakman, Walker	29.60
Oneonta, Blount	29.80
Opelika, Lee	29.90
Opp, Covington	29.60
Ozark, Dale	29.70
Panola, Sumter	29.50
Pell City, St. Clair	29.80
Peterman, Monroe	29.50
Phil Campbell, Franklin	29.50
Pickensville, Pickens	29.50
Pine Hill, Wilcox	29.50



## ALABAMA—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ " loan rate
Pisgah, Jackson	29.70
Pollard, Escambia	29.50
Prattville, Autauga	29.70
Red Bay, Franklin	29.50
Red Level, Covington	29.60
Reform, Pickens	29.50
Repton, Conecuh	29.50
Reanoke, Randolph	29.90
Rogersville, Lauderdale	29.50
Russellville, Franklin	29.50
Samantha, Tuscaloosa	29.60
Samson, Geneva	29.70
Scottsboro, Jackson	29.70
Section, Jackson	29.70
Selma, Dallas	29.60
Sheffield, Colbert	29.50
Slocumb, Geneva	29.70
Stevenson, Jackson	29.70
Stewart, Hale	29.60
Sulligent, Lamar	29.50
Sweetwater, Marengo	29.50
Sylacauga, Talladega	29.90
Sylvania, De Kalb	29.80
Talladega, Talladega	29.90
Tallassee, Elmore	29.80
Thomasville, Clarke	29.50
Thorsby, Chilton	29.70
Troy, Pike	29.70
Tuscaloosa, Tuscaloosa	29.60
Tuscumbia, Colbert	29.50
Tuskegee, Macon	29.80
Union Springs, Bullock	29.80
Uniontown, Perry	29.60
Vernon, Lamar	29.50
Vina, Franklin	29.50
Wadley, Randolph	29.90
Warrior, Jefferson	29.70
Webb, Houston	29.70
Wetumpka, Elmore	29.80
Winnfield, Marion	29.50
Woodville, Jackson	29.70
York, Sumter	29.50

## ARIZONA

Phoenix, Maricopa	28.68
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## ARKANSAS

Arkadelphia, Clark	29.28
Ashdown, Little River	29.28
Batesville, Independence	29.28
Bitheville, Mississippi	29.34
Boughton, Nevada	29.28
Brinkley, Monroe	29.34
Camden, Ouachita	29.28
Conway, Faulkner	29.28
Cotton Plant, Woodruff	29.34
Dardanelle, Yell	29.28
Dell, Mississippi	29.34
Dumas, Desha	29.32
Earle, Crittenden	29.34
England, Lonoke	29.32
Eudora, Chicot	29.30
Evadale, Mississippi	29.34
Fordyce, Dallas	29.28
Forrest City, St. Francis	29.34
Fort Smith, Sebastian	29.28
Harrisburg, Poinsett	29.34
Helena, Phillips	29.33
Hope, Hempstead	29.28
Hughes, St. Francis	29.34
Hulbert (P. O. West Memphis), Crittenden	29.37
Jonesboro, Craighead	29.34
Junction City, Union	29.28
Leachville, Mississippi	29.34
Lepanto, Poinsett	29.34
Little Rock, Pulaski	29.32
Lonoke, Lonoke	29.32
Magnolia, Columbia	29.28
Malvern, Hot Springs	29.28
Marianna, Lee	29.34
Marked Tree, Poinsett	29.34
Marvell, Phillips	29.34
McCrory, Woodruff	29.34
McGehee, Desha	29.32
Morrilton, Conway	29.28
Nashville, Howard	29.28

## ARKANSAS—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ " loan rate
Newport, Jackson	29.32
Osceola, Mississippi	29.34
Paragould, Greene	29.34
Pine Bluff, Jefferson	29.32
Portland, Ashley	29.28
Prescott, Nevada	29.28
Rison, Cleveland	29.32
Russellville, Pope	29.28
Searcy, White	29.32
Sparkman, Dallas	29.28
Truman, Poinsett	29.34
Waldo, Columbia	29.28
Walnut Ridge, Lawrence	29.32
Warren, Bradley	29.28
West Memphis, Crittenden	29.37
Wilson, Mississippi	29.34
Wynne, Cross	29.34

## CALIFORNIA

Bakersfield, Kern	28.68
Caruthers, Fresno	28.68
Chowchilla, Madera	28.68
Coalinga, Fresno	28.68
Firebaugh, Fresno	28.68
Five Points, Fresno	28.68
Fresno, Fresno	28.68
Hanford, Kings	28.68
Helm, Fresno	28.68
Huron, Fresno	28.68
Kerman, Fresno	22.68
Kingsburg, Fresno	28.68
Lamoore, Kings	28.68
McFarland, Kern	28.68
Madera, Madera	28.68
Pinedale, Fresno	28.68
Reedley, Fresno	28.68
Richmond, Contra Costa	28.68
San Francisco, San Francisco	28.68
San Joaquin, Fresno	28.68
San Pedro, Los Angeles	28.68
Stockton, San Joaquin	28.68
Stratford, Kings	28.68
Tranquillity, Fresno	28.68
Tulare, Tulare	28.68

## FLORIDA

Like Oak, Suwanee	29.82
Mayo, Lafayette	29.82
Pensacola, Escambia	29.40

## GEORGIA

Abbeville, Wilcox	29.91
Adrian, Emanuel	30.00
Albany, Dougherty	29.91
Allentown, Wilkinson	30.00
Alma, Bacon	29.91
Alvaton, Meriwether	30.00
Americus, Sumter	29.91
Arlington, Calhoun	29.82
Athens, Clarke	30.07
Atlanta, Fulton	30.00
Augusta, Richmond	30.07
Bainbridge, Decatur	29.82
Barnesville, Lamar	30.00
Bartow, Jefferson	30.00
Baxley, Appling	29.91
Bishop, Oconee	30.07
Blackshear, Pierce	29.82
Blakely, Early	29.82
Braselton, Jackson	30.07
Bronwood, Terrell	29.91
Brooklet, Bulloch	30.00
Buchanan, Haralson	30.00
Buena Vista, Marion	30.00
Buford, Owinnett	30.00
Butler, Taylor	30.00
Bryonville, Dooly	29.91
Cadwell, Laurens	30.00
Calhoun, Gordon	30.00
Camilla, Mitchell	29.82
Canon, Franklin	30.07
Carrollton, Carroll	30.00
Cartersville, Bartow	30.00
Cedartown, Polk	30.00
Chauncey, Dodge	30.00
Chester, Dodge	30.00

## GEORGIA—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ " loan rate
Claxton, Evans	29.91
Cochran, Bleckley	30.00
Colquitt, Miller	29.82
Columbus, Muscogee	30.00
Comer, Madison	30.07
Commerce, Jackson	30.07
Conyers, Rockdale	30.00
Cordele, Crisp	29.91
Covington, Newton	30.00
Culloden, Monroe	30.00
Cuthbert, Randolph	29.82
Dallas, Paulding	30.00
Dalton, Whitfield	30.00
Davisboro, Washington	30.00
Dawson, Terrell	29.91
Dexter, Laurens	30.00
Doerun, Colquitt	29.82
Donalsonville, Seminole	29.82
Douglas, Coffee	29.91
Dublin, Laurens	30.00
Dudley, Laurens	30.00
Eastman, Dodge	30.00
East Point, Fulton	30.00
Eatonville, Putnam	30.00
Edison, Calhoun	29.82
Elberton, Elbert	30.07
Ellaville, Schley	30.00
Fairburn, Fulton	30.00
Farrar, Jasper	30.00
Fayetteville, Fayette	30.00
Fitzgerald, Ben Hill	29.91
Forsyth, Monroe	30.00
Fort Gaines, Clay	29.82
Fort Valley, Peach	30.00
Gainesville, Hall	30.07
Garfield, Emanuel	30.00
Gay, Meriwether	30.00
Glenville, Tattnall	29.91
Grantville, Coweta	30.00
Graymont, Emanuel	30.00
Greensboro, Greene	30.07
Greenville, Meriwether	30.00
Gresston, Dodge	30.00
Griffin, Spalding	30.00
Haralson, Coweta	30.00
Harrison, Washington	30.00
Hartsfield, Colquitt	29.82
Hartwell, Hart	30.07
Hawkinsville, Pulaski	30.00
Hogansville, Troup	30.00
Ideal, Macon	30.00
Jackson, Butts	30.09
Jefferson, Jackson	30.07
Jeffersonville, Twiggs	30.00
Jesup, Wayne	29.91
Jonesboro, Clayton	30.00
Kelly, Jasper	30.00
Kingston, Bartow	30.00
Kite, Johnson	30.00
La Fayette, Walker	30.00
La Grange, Troup	30.00
Lavonia, Franklin	30.07
Lawrenceville, Gwinnett	30.00
Leary, Calhoun	29.82
Leslie, Sumter	29.91
Lilly, Dooly	29.91
Lincolnton, Lincoln	30.07
Locust Grove, Henry	30.00
Loganville, Walton	30.00
Louisville, Jefferson	30.00
Lumpkin, Stewart	29.91
Luthersville, Meriwether	30.00
Macon, Bibb	30.00
Madison, Morgan	30.00
Manchester, Meriwether	30.00
Mansfield, Newton	30.00
Marietta, Cobb	30.00
Marshallville, Macon	30.00
McDonough, Henry	30.00
McRae, Telfair	29.91
Meansville, Pike	30.00
Meigs, Thomas	29.82
Metter, Candler	30.00
Midville, Burke	30.00
Milan, Dodge	30.00
Milledgeville, Baldwin	30.00
Millen, Jenkins	30.00



## RULES AND REGULATIONS

## GEORGIA—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ "	loan rate
Monroe, Walton	30.00	
Montezuma, Macon	30.00	
Monticello, Jasper	30.00	
Montrose, Laurens	30.00	
Moreland, Coweta	30.00	
Moultrie, Colquitt	29.82	
Newman, Coweta	30.00	
Ochlocknee, Thomas	29.82	
Ocilla, Irwin	29.91	
Oglethorpe, Macon	30.00	
Orchard Hill, Spalding	30.00	
Parrott, Terrell	29.91	
Pelham, Mitchell	29.82	
Perry, Houston	30.00	
Pinehurst, Dooley	29.91	
Plains, Sumter	29.91	
Portal, Bulloch	30.00	
Pulaski, Candler	30.00	
Rebecca, Turner	29.91	
Rentz, Laurens	30.00	
Reynolds, Taylor	30.00	
Rhine, Dodge	30.00	
Richland, Stewart	29.91	
Roberta, Crawford	30.00	
Rochelle, Wilcox	29.91	
Rockmart, Polk	30.00	
Rocky Ford, Screven	30.00	
Rome, Floyd	30.00	
Royston, Franklin	30.07	
Rutledge, Morgan	30.00	
Sandersville, Washington	30.00	
Savannah, Chatham	30.00	
Scotland, Telfair	29.91	
Senola, Coweta	30.00	
Shady Dale, Jasper	30.00	
Sharpsburg, Coweta	30.00	
Shellman, Bartow	30.00	
Shellman, Randolph	29.82	
Social Circle, Walton	30.00	
Soperton, Treutlen	30.00	
Sparta, Hancock	30.00	
Statesboro, Bulloch	30.00	
Summit, Emanuel	30.00	
Swainsboro, Emanuel	30.00	
Sycamore, Turner	29.91	
Sylvania, Screven	30.00	
Sylvester, Worth	29.91	
Tallapoosa, Haralson	30.00	
Taylorville, Bartow	30.00	
Temple, Carroll	30.00	
Tennille, Washington	30.00	
Thomaston, Upson	30.00	
Thomson, McDuffie	30.07	
Tifton, Tift	29.91	
Tignall, Wilkes	30.07	
Toccoa, Stephens	30.07	
Turin, Coweta	30.00	
Tyrone, Fayette	30.00	
Unadilla, Dooley	29.91	
Valdosta, Lowndes	29.82	
Vidalia, Toombs	29.91	
Vienna, Dooley	29.91	
Villa Rica, Carroll	30.00	
Wadley, Jefferson	30.00	
Warrenton, Warren	30.07	
Washington, Wilkes	30.07	
Watkinsville, Oconee	30.07	
Waynesboro, Burke	30.00	
West Point, Troup	30.00	
Williamson, Pike	30.00	
Winder, Barrow	30.07	
Woodbury, Meriwether	30.00	
Woodland, Talbot	30.00	
Wrightsville, Johnson	30.00	
Zebulon, Pike	30.00	

## ILLINOIS

Cairo, Alexander	29.35
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## LOUISIANA

Alexandria, Rapides	29.28
Arcadia, Bienville	29.28
Bernice, Union	29.28
Bryceland, Bienville	29.28
Bunkie, Avoyelles	29.28
Chatham, Jackson	29.28
Choudrant, Lincoln	29.28

## LOUISIANA—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ "	loan rate
Coushatta, Red River	29.28	
Delhi, Richland	29.29	
Dubach, Lincoln	29.28	
Farmerville, Union	29.28	
Ferriday, Concordia	29.30	
Franklinton, Washington	29.35	
Gibbsland, Bienville	29.28	
Haynesville, Claiborne	29.28	
Homer, Claiborne	29.28	
Jonesboro, Jackson	29.28	
Lake Charles, Calcasieu	29.28	
Lake Providence, East Carroll	29.30	
Logansport, DeSoto	29.28	
Mansfield, DeSoto	29.28	
Marion, Union	29.28	
Minden, Webster	29.28	
Monroe, Ouachita	29.28	
Natchitoches, Natchitoches	29.28	
Newellton, Tensas	29.30	
New Orleans, Orleans	29.35	
Oak Grove, West Carroll	29.29	
Opelousas, Saint Landry	29.28	
Plain Dealing, Bossier	29.28	
Rayville, Richland	29.28	
Ringgold, Bienville	29.28	
Ruston, Lincoln	29.28	
Shreveport, Caddo	29.28	
Springhill, Webster	29.28	
Tallulah, Madison	29.30	
Winnsboro, Franklin	29.28	

## MISSISSIPPI

Aberdeen, Monroe	29.40
Amory, Monroe	29.40
Batesville, Panola	29.40
Belmont, Tishomingo	29.40
Belzoni, Humphreys	29.35
Booneville, Prentiss	29.40
Brookhaven, Lincoln	29.37
Canton, Madison	29.40
Carthage, Leake	29.40
Clarksdale, Coahoma	29.35
Cleveland, Bolivar	29.35
Coffeeville, Yalobusha	29.40
Columbia, Marion	29.37
Columbus, Lowndes	29.40
Como, Panola	29.40
Corinth, Alcorn	29.40
Drew, Sunflower	29.35
Durant, Holmes	29.40
Forest, Scott	29.37
Gloster, Amite	29.35
Goodman, Holmes	29.40
Greenville, Washington	29.35
Greenwood, Leflore	29.35
Grenada, Grenada	29.40
Gulfport, Harrison	29.35
Hattiesburg, Forrest	29.37
Hollandale, Washington	29.35
Holly Springs, Marshall	29.40
Houston, Chickasaw	29.40
Indianola, Sunflower	29.35
Inverness, Sunflower	29.35
Itta Bena, Leflore	29.35
Jackson, Hinds	29.37
Kosciusko, Attala	29.40
Laurel, Jones	29.37
Leland, Washington	29.35
Lexington, Holmes	29.35
Liberty, Amite	29.37
Louisville, Winston	29.40
Macon, Noxubee	29.40
Magee, Simpson	29.37
Magnolia, Pike	29.37
Marks, Quitman	29.35
McComb, Pike	29.37
Meridian, Lauderdale	29.40
Mount Olive, Covington	29.37
Natchez, Adams	29.35
New Albany, Union	29.40
Newton, Newton	29.37
Okolona, Chickasaw	29.40
Oxford, Lafayette	29.40
Philadelphia, Neshoba	29.40
Pontotoc, Pontotoc	29.40
Port Gibson, Claiborne	29.35
Quitman, Clarke	29.37

## MISSISSIPPI—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ "	loan rate
Ripley, Tippah	29.40	
Rolling Fork, Sharkey	29.35	
Rosedale, Bolivar	29.35	
Ruleville, Sunflower	29.35	
Shaw, Bolivar	29.35	
Shelby, Bolivar	29.35	
Shuqualak, Noxubee	29.40	
Summit, Pike	29.37	
Tupelo, Lee	29.40	
Tutwiler, Tallahatchie	29.35	
Tylertown, Walthall	29.37	
Union, Newton	29.40	
Vicksburg, Warren	29.35	
Water Valley, Yalobusha	29.40	
Wesson, Copiah	29.37	
West Point, Clay	29.40	
Yazoo City, Yazoo	29.35	

## MISSOURI

Arbyrd, Dunklin	29.34
Caruthersville, Pemiscot	29.34
Charleston, Mississippi	29.32
Hayti, Pemiscot	29.34
Kennett, Dunklin	29.32
Lilbourn, New Madrid	29.32
Malden, Dunklin	29.32
Portageville, New Madrid	29.34
Sikeston, Scott	29.32

## NEW MEXICO

Artesia, Eddy	29.06
Cameo, Roosevelt	29.06
Carlsbad, Eddy	29.06
Delphos, Roosevelt	29.06
Deming, Luna	28.68
Elida, Roosevelt	29.06
Hagerman, Chaves	29.06
Hobbs, Lea	29.12
Kenna, Roosevelt	29.06
Kermit, Roosevelt	29.06
Krider, Roosevelt	29.06
Las Cruces, Dona Ana	29.05
Lovington, Lea	29.12
Portales, Roosevelt	29.06
Roswell, Chaves	29.06
Tolar, Roosevelt	29.06
Tornero, Roosevelt	29.06
Yerba, Roosevelt	29.06

## NORTH CAROLINA

Avondale, Rutherford	30.17
Battlesboro, Nash	30.10
Benson, Johnston	30.10
Bethel, Pitt	30.10
Bladenboro, Bladen	30.10
Bostic, Rutherford	30.17
Candor, Montgomery	30.17
Carthage, Moore	30.17
Charlotte, Mecklenburg	30.17
Cherryville, Gaston	30.17
Clayton, Johnston	30.10
Clinton, Sampson	30.10
Columbus, Polk	30.17
Concord, Cabarrus	30.17
Dunn, Harnett	30.10
Durham, Durham	30.17
East Lumberton, Robeson	30.10
Edenton, Chowan	30.10
Elizabeth City, Pasquotank	30.10
Enfield, Halifax	30.10
Farmville, Pitt	30.10
Fayetteville, Cumberland	30.10
Forest City, Rutherford	30.17
Franklin, Macon	30.17
Franklinton, Franklin	30.10
Gastonia, Gaston	30.17
Goldsboro, Wayne	30.10
Greensboro, Guilford	30.17
Gumberry, Northampton	30.10
Harris, Rutherford	30.17
Henderson, Vance	30.10
Hickory, Catawba	30.17
Hope Mills, Cumberland	30.10
Jackson, Northampton	30.10
Kings Mountain, Cleveland	30.17
Kinston, Lenoir	30.10
La Grange, Lenoir	30.10
Laurel Hill, Scotland	30.10



## NORTH CAROLINA—Continued

City and county	Basis Middling White and Extra White $\frac{15}{16}$ " loan rate
Laurinburg, Scotland	30.10
Lewiston, Bertie	30.10
Lilesville, Anson	30.17
Lincolnton, Lincoln	30.17
Littleton, Halifax	30.10
Louisburg, Franklin	30.10
Lumberton, Robeson	30.10
Marshville, Union	30.17
Matthews, Mecklenburg	30.17
Maxton, Robeson	30.10
Monroe, Union	30.17
Mooreville, Iredell	30.17
Morven, Anson	30.17
Mount Gilead, Montgomery	30.17
Mount Olive, Wayne	30.10
Nashville, Nash	30.10
Newton, Catawba	30.17
Norlina, Warren	30.10
Parkton, Robeson	30.10
Pates, Robeson	30.10
Pembroke, Robeson	30.10
Pikeville, Wayne	30.10
Pinetops, Edgecombe	30.10
Raeford, Hoke	30.10
Raleigh, Wake	30.10
Ranlo, Gaston	30.17
Red Springs, Robeson	30.10
Reidsville, Rockingham	30.17
Rich Square, Northampton	30.10
Roanoke Rapids, Halifax	30.10
Rockingham, Richmond	30.17
Rocky Mount, Edgecombe	30.10
Rowland, Robeson	30.10
Rutherfordton, Rutherford	30.17
Saint Pauls, Robeson	30.10
Salisbury, Rowan	30.17
Sanford, Lee	30.17
Scotland Neck, Halifax	30.10
Shelby, Cleveland	30.17
Smithfield, Johnston	30.10
Spring Hope, Nash	30.10
Stantonsburg, Wilson	30.10
Statesville, Iredell	30.17
Tarboro, Edgecombe	30.10
Wadesboro, Anson	30.17
Wagram, Scotland	30.10
Wake Forest, Wake	30.10
Warrenton, Warren	30.10
Washington, Beaufort	30.10
Weldon, Halifax	30.10
Wilmington, New Hanover	30.10
Wilson, Wilson	30.10
Woodland, Northampton	30.10

## OKLAHOMA

Ada, Pontotoc	29.28
Altus, Jackson	29.22
Anadarko, Caddo	29.22
Ardmore, Carter	29.22
Blanchard, McClain	29.22
Carter, Beckham	29.22
Chandler, Lincoln	29.22
Chickasha, Grady	29.22
Clinton, Custer	29.22
Cushing, Payne	29.28
Durant, Bryan	29.28
Elk City, Beckham	29.22
Erick, Beckham	29.22
Foss, Washita	29.22
Frederick, Tillman	29.22
Guthrie, Logan	29.22
Hobart, Kiowa	29.22
Hollis, Harmon	29.22
Hugo, Choctaw	29.28
Lawton, Comanche	29.22
Lindsay, Garvin	29.22
Mangum, Greer	29.22
Marlow, Stephens	29.22
McAlester, Pittsburg	29.28
Mountain View, Kiowa	29.22
Muskogee, Muskogee	29.28
Oklahoma City, Oklahoma	29.22
Pauls Valley, Garvin	29.22
Purcell, McClain	29.22
Ryan, Jefferson	29.22
Sentinel, Washita	29.22
Shawnee, Pottawatomie	29.28

## OKLAHOMA—Continued

City and county	Basis Middling White and Extra White $\frac{15}{16}$ " loan rate
Snyder, Kiowa	29.22
Stroud, Lincoln	29.28
Tipton, Tillman	29.22
Waurika, Jefferson	29.22
Weleetka, Okfuskee	29.28
Wynnewood, Garvin	29.22

## SOUTH CAROLINA

Abbeville, Abbeville	30.17
Aiken, Aiken	30.17
Allendale, Allendale	30.10
Anderson, Anderson	30.17
Andrews, Georgetown	30.10
Angelus, Chesterfield	30.17
Ashwood, Lee	30.10
Atkins, Lee	30.10
Bamberg, Bamberg	30.10
Barnwell, Barnwell	30.10
Batesburg, Lexington	30.17
Belton, Anderson	30.17
Bennettsville, Marlboro	30.10
Bethune, Kershaw	30.17
Bishopville, Lee	30.10
Blacksburg, Cherokee	30.17
Blackstock, Fairfield	30.17
Blackville, Barnwell	30.10
Blairs, Fairfield	30.17
Blaney, Kershaw	30.17
Blenheim, Marlboro	30.10
Bowman, Orangeburg	30.10
Boykin, Kershaw	30.17
Brunson, Hampton	30.10
Calhoun Falls, Abbeville	30.17
Camden, Kershaw	30.17
Cameron, Calhoun	30.10
Campobello, Spartanburg	30.17
Carlisle, Union	30.17
Catawba, York	30.17
Catechee, Pickens	30.17
Centenary, Marion	30.10
Central, Pickens	30.17
Charleston, Charleston	30.10
Chappells, Newberry	30.17
Cheraw, Chesterfield	30.17
Chesnee, Spartanburg	30.17
Chester, Chester	30.17
Chesterfield, Chesterfield	30.17
Clayton, Fairfield	30.17
Clinton, Laurens	30.17
Clio, Marlboro	30.10
Clover, York	30.17
Columbia, Richland	30.17
Conestee, Greenville	30.17
Cope, Orangeburg	30.10
Cordova, Orangeburg	30.10
Cowpens, Spartanburg	30.17
Crockettsville, Hampton	30.10
Cross Anchor, Spartanburg	30.17
Cross Hill, Laurens	30.17
Darlington, Darlington	30.10
Davis Station, Clarendon	30.10
Dillon, Dillon	30.10
Drake, Marlboro	30.10
Due West, Abbeville	30.17
Dunbar, Marlboro	30.10
Dunbarton, Barnwell	30.10
Duncan, Spartanburg	30.17
Easley, Pickens	30.17
Edgefield, Edgefield	30.17
Ehrhardt, Bamberg	30.10
Elko, Barnwell	30.10
Ellenton, Aiken	30.17
Elliot, Lee	30.10
Elloree, Orangeburg	30.10
Enoree, Spartanburg	30.17
Estill, Hampton	30.10
Eureka, Aiken	30.17
Eutawville, Orangeburg	30.10
Fairfax, Allendale	30.10
Fair Forest, Spartanburg	30.17
Fairmont, Spartanburg	30.17
Filbert, York	30.17
Fingerville, Spartanburg	30.17
Florence, Florence	30.10
Fountain Inn, Greenville	30.17
Gaffney, Cherokee	30.17
Gray Court, Laurens	30.17

## SOUTH CAROLINA—Continued

City and county	Basis Middling White and Extra White $\frac{15}{16}$ " loan rate
Greenville, Greenville	30.17
Greenwood, Greenwood	30.17
Greer, Greenville	30.17
Hamer, Dillon	30.10
Hampton, Hampton	30.10
Hartsville, Darlington	30.10
Heath Springs, Lancaster	30.17
Hickory Grove, York	30.17
Holly Hill, Orangeburg	30.10
Honea Path, Anderson	30.17
Inman, Spartanburg	30.17
Iva, Anderson	30.17
Jefferson, Chesterfield	30.17
Jenkinsville, Fairfield	30.17
Johnsonville, Florence	30.10
Johnston, Edgefield	30.17
Jonesville, Union	30.17
Kershaw, Kershaw	30.17
Kings Creek, Cherokee	30.17
Kingstree, Williamsburg	30.10
Kline, Barnwell	30.10
Kollock, Marlboro	30.10
Lake City, Florence	30.10
Lamar, Darlington	30.10
Lancaster, Lancaster	30.17
Landrum, Spartanburg	30.17
Lanford, Laurens	30.17
Latta, Dillon	30.10
Laurens, Laurens	30.17
Leesville, Lexington	30.17
Lester, Marlboro	30.10
Liberty, Pickens	30.17
Little Rock, Dillon	30.10
Lowrys, Chester	30.17
Lugoff, Kershaw	30.17
Luray, Hampton	30.10
Lynchburg, Lee	30.10
Manning, Clarendon	30.10
Marion, Marion	30.10
Mauldin, Greenville	30.17
Hayesville, Sumter	30.10
McColl, Marlboro	30.10
McCormick, McCormick	30.17
Mount Carmel, McCormick	30.17
Mount Croghan, Chesterfield	30.17
Mullins, Marion	30.10
Neeses, Orangeburg	30.10
Newberry, Newberry	30.17
Newry, Oconee	30.17
New Zion, Clarendon	30.10
Ninety Six, Greenwood	30.17
Norris, Pickens	30.17
North, Orangeburg	30.10
North Charleston, Charleston	30.10
Norway, Orangeburg	30.10
Oianta, Florence	30.10
Olar, Bamberg	30.10
Orangeburg, Orangeburg	30.10
Oswego, Sumter	30.10
Owings, Laurens	30.17
Pageland, Chesterfield	30.17
Pamplico, Florence	30.10
Parksville, McCormick	30.17
Pelzer, Anderson	30.17
Pendleton, Anderson	30.17
Pickens, Pickens	30.17
Piedmont, Greenville	30.17
Plum Branch, McCormick	30.17
Pomaria, Newberry	30.17
Princeton, Laurens	30.17
Remini, Clarendon	30.10
Richburg, Chester	30.17
Ridge Spring, Saluda	30.17
Ridgeway, Fairfield	30.17
Rock Hill, York	30.17
Roebuck, Spartanburg	30.17
Rowesville, Orangeburg	30.10
Salley, Aiken	30.17
Saluda, Saluda	30.17
Sandy Springs, Anderson	30.17
Scotia, Hampton	30.10
Seigler, Allendale	30.10
Sellers, Marion	30.10
Seneca, Oconee	30.17
Sharon, York	30.17
Silver, Clarendon	30.10
Simpsonville, Greenville	30.17



## RULES AND REGULATIONS

## SOUTH CAROLINA—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ " loan rate
Six Mile, Pickens	30.17
Smoaks, Colleton	30.10
Spartanburg, Spartanburg	30.17
Springfield, Orangeburg	30.10
Starr, Anderson	30.17
St. Matthews, Calhoun	30.10
Summerton, Clarendon	30.10
Sumter, Sumter	30.10
Swansea, Lexington	30.17
Syracuse, Darlington	30.10
Tatum, Marlboro	30.10
Timmonsville, Florence	30.10
Trenton, Edgefield	30.17
Union, Union	30.17
Vance, Orangeburg	30.10
Van Wyck, Lancaster	30.17
Wagener, Alken	30.17
Walhalla, Oconee	30.17
Waterloo, Laurens	30.17
Wedgfield, Sumter	30.10
Westminster, Oconee	30.17
West Union, Oconee	30.17
Whitmire, Newberry	30.17
Whitney, Spartanburg	30.17
Williamston, Anderson	30.17
Williston, Barnwell	30.10
Windsor, Aiken	30.17
Winnsboro, Fairfield	30.17
Wisacky, Lee	30.17
Wolfton, Orangeburg	30.10
Woodruff, Spartanburg	30.17
York, York	30.17

## TENNESSEE

Appleton, Lawrence	29.50
Brownsville, Haywood	29.39
Chattanooga, Hamilton	29.90
Covington, Tipton	29.39
Decherd, Franklin	29.70
Dunn, Lawrence	29.50
Dyersburg, Dyer	29.39
Elora, Lincoln	29.60
Fayetteville, Lincoln	29.60
Five Points, Lawrence	29.50
Halls, Lauderdale	29.39
Henderson, Chester	29.40
Jackson, Madison	29.40
Lawrenceburg, Lawrence	29.50
Loretto, Lawrence	29.50
Memphis, Shelby	29.40
Milan, Gibson	29.39
Murfreesboro, Rutherford	29.60
Ripley, Lauderdale	29.39
Tiptonville, Lake	29.39
Winchester, Franklin	29.70

## TEXAS

Abernathy, Hale	29.14
Abilene, Taylor	29.19
Ackerly, Dawson	29.14
Acuff, Lubbock	29.14
Afton, Dickens	29.19
Aiken, Floyd	29.14
Alba, Wood	29.28
Alvarado, Johnson	29.22
Amarillo, Potter	29.14
Amherst, Lamb	29.14
Anna, Collin	29.28
Anson, Jones	29.19
Anton, Hockley	29.14
Aspermont, Stonewall	29.19
Athens, Henderson	29.28
Atlanta, Cass	29.28
Austin, Travis	29.22
Austonia, Houston	29.22
Avery, Red River	29.28
Baileyboro, Bailey	29.14
Ballinger, Runnels	29.19
Barry, Navarro	29.22
Bartlett, Bell	29.22
Beaumont, Jefferson	29.28
Beckville, Panola	29.28
Belton, Bell	29.22
Bertram, Burnet	29.22
Big Spring, Howard	29.14
Bledsoe, Cochran	29.14
Bloomburg, Cass	29.28

## TEXAS—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ " loan rate
Bogata, Red River	29.28
Bonham, Fannin	29.28
Bovina, Parmer	29.14
Brady, McCulloch	29.19
Brenham, Washington	29.22
Broadview, Lubbock	29.14
Brownfield, Terry	29.14
Brownsville, Cameron	29.14
Brownwood, Brown	29.22
Bryan, Brazos	29.22
Bula, Bailey	29.14
Bynum, Hill	29.22
Caldwell, Burleson	29.22
Calvert, Robertson	29.22
Cameron, Milan	29.22
Carthage, Panola	29.28
Celina, Collin	29.22
Center, Shelby	29.28
Childress, Childress	29.19
Chillicothe, Hardeman	29.22
Clarendon, Donley	29.14
Clarksville, Red River	29.28
Cleburne, Johnson	29.22
Coble, Hockley	29.14
Coleman, Coleman	29.19
Colorado City, Mitchell	29.19
Commerce, Hunt	29.28
Cooper, Delta	29.28
Corpus Christi, Nueces	29.17
Corsicana, Navarro	29.22
Crockett, Houston	29.22
Crosbyton, Crosby	29.14
Cuero, De Witt	29.22
Daingerfield, Morris	29.28
Dallas, Dallas	29.22
Dean, Clay	29.22
Dean, Hockley	29.14
Dean, Leon	29.22
Decatur, Wise	29.22
Denison, Grayson	29.28
Denton, Denton	29.22
Deport, Lamar	29.28
Draw, Lynn	29.14
Dublin, Erath	29.22
Eden, Concho	29.19
Edgewood, Van Zandt	29.28
El Campo, Wharton	29.22
Elgin, Bastrop	29.22
Elkhart, Anderson	29.22
El Paso, El Paso	29.05
Elysian Fields, Harrison	29.28
Emhouse, Navarro	29.22
Enloe, Delta	29.28
Ennis, Ellis	29.22
Enochs, Bailey	29.14
Fabens, El Paso	29.05
Fairfield, Freestone	29.22
Fairwell, Parmer	29.14
Floydada, Floyd	29.19
Forney, Kaufman	29.22
Fort Stockton, Pecos	29.12
Fort Worth, Tarrant	29.22
Frisco, Collin	29.22
Gainesville, Cooke	29.28
Galveston, Galveston	29.28
Ganado, Jackson	29.22
Garland, Dallas	29.28
Gary, Panola	29.28
Gatesville, Coryell	29.22
Gilmer, Upshur	29.28
Gonzales, Gonzales	29.22
Grand Saline, Van Zandt	29.28
Grandview, Johnson	29.22
Granger, Williamson	29.22
Grapeland, Houston	29.22
Grassland, Lynn	29.14
Greenville, Hunt	29.28
Hale Center, Hale	29.14
Hamilton, Hamilton	29.22
Hamlin, Jones	29.19
Harlingen, Cameron	29.14
Haskell, Haskell	29.19
Hearne, Robertson	29.22
Hebron, Denton	29.22
Hedley, Donley	29.19
Henderson, Rusk	29.28
Hereford, Deaf Smith	29.14

## TEXAS—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ " loan rate
Hico, Hamilton	29.22
Hillsboro, Hill	29.22
Honey Grove, Fannin	29.28
Houston, Harris	29.28
Hubbard, Hill	29.22
Hughes Spring, Cass	29.28
Huntsville, Walker	29.22
Irene, Hill	29.22
Itasca, Hill	29.22
Jacksonville, Cherokee	29.28
Jarrell, Williamson	29.22
Jayton, Kent	29.19
Jefferson, Marion	29.28
Jewett, Leon	29.22
Kaufman, Kaufman	29.28
Kenedy, Karnes	29.17
Kerens, Navarro	29.22
Killeen, Bell	29.22
Knox City, Knox	29.19
Krum, Denton	29.22
Ladonia, Fannin	29.28
La Grange, Fayette	29.22
Lamesa, Dawson	29.14
Levelland, Hockley	29.14
Lindale, Smith	29.28
Littlefield, Lamb	29.14
Lockhart, Caldwell	29.22
Lockney, Floyd	29.14
Longview, Gregg	29.28
Loraine, Mitchell	29.19
Lorenzo, Crosby	29.14
Lovelady, Houston	29.22
Lubbock, Lubbock	29.14
Lueders, Jones	29.19
Madisonville, Madison	29.22
Marlin, Falls	29.22
Marshall, Harrison	29.28
Mart, McLennan	29.22
Maypearl, Ellis	29.22
McAdoo, Dickens	29.19
McGregor, McLennan	29.22
McKinney, Collin	29.28
McLean, Gray	29.19
Meadow, Terry	29.14
Memphis, Hall	29.19
Merita, Tom Green	29.19
Merkel, Taylor	29.19
Mexia, Limestone	29.22
Midlothian, Ellis	29.22
Midway, Dawson	29.14
Mineola, Wood	29.28
Monahans, Ward	29.12
Morten, Cochran	29.14
Mt. Pleasant, Titus	29.28
Muleshoe, Bailey	29.14
Munday, Knox	29.19
Nacogdoches, Nacogdoches	29.28
Naples, Morris	29.28
Navasota, Grimes	29.22
Needmore, Bailey	29.14
Needmore, Delta	29.28
New Boston, Bowie	29.28
New Braunfels, Comal	29.22
New Home, Lynn	29.14
New Moore, Lynn	29.14
Nocona, Montague	29.22
Norton, Runnels	29.19
Oasis, Dallas	29.22
O'Donnell, Lynn	29.14
Old Glory, Stonewall	29.19
Olton, Lamb	29.14
Omaha, Morris	29.28
Paducah, Cottle	29.19
Palestine, Anderson	29.22
Paris, Lamar	29.28
Patricia, Dawson	29.14
Peacock, Stonewall	29.19
Pecos, Reeves	29.12
Petersburg, Hale	29.14
Pettit, Hockley	29.14
Pilot Point, Denton	29.22
Pittsburg, Camp	29.28
Plainview, Hale	29.14
Plano, Collin	29.28
Port Lavaca, Calhoun	29.22
Post, Garza	29.14
Presidio, Presidio	29.06



## TEXAS—Continued

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ " loan rate
Princeton, Collin	29.28
Prosper, Collin	29.22
Quanah, Hardeman	29.22
Quitman, Briscoe	29.14
Quitman, Wood	29.28
Radium, Jones	29.19
Ralls, Crosby	29.14
Raymondville, Willacy	29.14
Refugio, Refugio	29.22
Rice, Navarro	29.22
Roans Prairie, Grimes	29.22
Roaring Springs, Motley	29.19
Robstown, Nueces	29.17
Roby, Fisher	29.19
Rochelle, McCulloch	29.19
Rochester, Haskell	29.19
Rockwall, Rockwall	29.28
Ropesville, Hockley	29.14
Roscoe, Nolan	29.19
Rosebud, Falls	29.22
Rotan, Fisher	29.19
Rowlett, Dallas	29.28
Royse City, Rockwall	29.28
Rule, Haskell	29.19
Salado, Bell	29.22
San Angelo, Tom Green	29.19
San Augustine, San Augustine	29.28
San Marcos, Hays	29.22
Schulenburg, Fayette	29.22
Seagraves, Gaines	29.14
Seguin, Guadalupe	29.22
Seymour, Baylor	29.22
Shallowater, Lubbock	29.14
Shamrock, Wheeler	29.19
Sherman, Grayson	29.28
Shiner, Lavaca	29.22
Shiro, Grimes	29.22
Silverton, Briscoe	29.14
Slaton, Lubbock	29.14
Snyder, Scurry	29.19
Spade, Mitchell	29.19
Spade, Lamb	29.14
Spur, Dickens	29.19
Stamford, Jones	29.19
Stanton, Martin	29.14
Streetman, Freestone	29.22
Sudan, Lamb	29.14
Sugarland, Fort Bend	29.28
Sulphur Springs, Hopkins	29.28
Sweetwater, Nolan	29.19
Swenson, Stonewall	29.19
Taft, San Patricio	29.17
Tahoka, Lynn	29.14
Tatum, Rusk	29.28
Taylor, Williamson	29.22
Teague, Freestone	29.22
Temple, Bell	29.22
Tenaha, Shelby	29.28
Terrell, Kaufman	29.28
Texarkana, Bowie	29.28
Texas City, Galveston	29.28
Timpson, Shelby	29.28
Troup, Smith	29.28
Turkey, Hall	29.14
Twitty, Wheeler	29.19
Tyler, Smith	29.28
Valley Mills, Bosque	29.22
Venus, Johnson	29.22
Vernon, Wilbarger	29.22
Victoria, Victoria	29.22
Waco, McLennan	29.22
Wall, Tom Green	29.19
Waxahachie, Ellis	29.22
Wellington, Collingsworth	29.19
West, McLennan	29.22
Whitewright, Grayson	29.28
Whitharral, Hockley	29.14
Wichita Falls, Wichita	29.22
Wills Point, Van Zandt	29.28
Wilson, Lynn	29.14
Winnboro, Wood	29.28
Winters, Runnels	29.19
Wolfe City, Hunt	29.28
Wolforth, Lubbock	29.14
Yoakum, Lavaca	29.22
Yorktown, De Witt	29.22

No. 160—2

## VIRGINIA

City and county	Basis Middling White and Extra White $1\frac{1}{16}$ " loan rate
Broadnax, Brunswick	30.10
Kenbridge, Lunenburg	30.10
Norfolk, Norfolk	30.10

(Sec. 302, 52 Stat. 43, as amended, sec. 1, 62 Stat. 1247, 62 Stat. 1070; 7 U. S. C. 1302, 7 U. S. C., Supp., 1282, 15 U. S. C. 714)

Issued this 16th day of August 1949.

[SEAL] HAROLD K. HILL,  
Acting Manager,  
Commodity Credit Corporation.

Approved:

FRANK K. WOOLLEY,  
Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 49-6794; Filed, Aug. 18, 1949;  
8:56 a. m.]

[1949 CCC Cotton Bulletin 1, Amdt. 2]

## PART 607—COTTON •

## SUBPART—1949 COTTON LOAN PROGRAM

SCHEDULE OF BASE LOAN RATES BY COUNTIES  
FOR FARM-STORED COTTON

The 1949 Cotton Loan Bulletin (1949 CCC Cotton Bulletin 1) (14 F. R. 3723) is hereby amended by adding § 607.28 to read as follows:

§ 607.28 *Basic loan rates for farm-stored cotton.* The base loan rates applicable to Middling White and Extra White  $1\frac{1}{16}$ -inch upland cotton, under Commodity Credit Corporation's 1949 Cotton Loan Program, are as follows:

[All rates expressed in cents per pound, gross weight, basis Middling White and Extra White,  $1\frac{1}{16}$ -inch cotton]

## ALABAMA

In all counties east of De Kalb, Marshall, Blount, St. Clair, Shelby, Coosa, Elmore, Macon, Bullock, and Barbour	29.90
In the counties of De Kalb, Marshall, Blount, St. Clair, Shelby, Coosa, Elmore, Macon, Bullock, and Barbour	29.80
In the counties of Madison, Jackson, Morgan, Cullman, Jefferson, Bibb, Chilton, Autauga, Montgomery, Pike, Coffee, Dale, Henry, Geneva, and Houston	29.70
In the counties of Limestone, Lawrence, Winston, Walker, Fayette, Tuscaloosa, Hale, Perry, Dallas, Lowndes, Butler, Crenshaw, and Covington	29.60
In the counties of Lauderdale, Colbert, Franklin, Marion, Lamar, Pickens, Greene, Sumter, Marengo, Choctaw, Wilcox, Monroe, Clarke, Washington, Escambia, and Conecuh	29.50
In the counties of Mobile and Baldwin	29.40

## ARIZONA

In all counties	28.68
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## ARKANSAS

In the counties of Craighead, Crittenden, Cross, Greene, Lee, Mississippi, Monroe, Phillips, Polk, St. Francis, and Woodruff	29.34
In the counties of Arkansas, Clay, Cleveland, Desha, Jackson, Jefferson, Lawrence, Lincoln, Lonoke, Prairie, Pulaski, and White	29.32

[All rates expressed in cents per pound, gross weight, basis Middling White and Extra White,  $1\frac{1}{16}$ -inch cotton]

## ARKANSAS—Continued

In the county of Chicot	29.30
In all counties not listed above	29.23

## CALIFORNIA

In all counties	28.68
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## FLORIDA

In all counties east of Jackson, Liberty, and Franklin	29.82
In the counties of Bay, Calhoun, Franklin, Gulf, Holmes, Jackson, Liberty, and Washington	29.70
In the county of Walton	29.60
In the county of Okaloosa	29.50
In the counties of Santa Rosa, and Escambia	29.40

## GEORGIA

In all counties east of Union, Lumpkin, Dawson, Forsyth, Gwinnett, Walton, Morgan, Putnam, Hancock, Jefferson, Glascock, and Burke	30.07
In all counties, except Dade and counties having a rate of 30.07, north of Stewart, Webster, Sumter, Dooly, Wilcox, Telfair, Wheeler, Montgomery, Toombs, Tattnall, Evans, and Bryan	30.00
In all counties south of Chatham, Appling, Wilkes, Schley, Macon, Houston, Pulaski, Dodge, Laurens, Treutlen, Emanuel, Candler, Bullock, Effingham, and Chatham, and north of Quitman, Randolph, Calhoun, Baker, Mitchell, Colquitt, Cook, Berrien, Atkinson, Ware, Pierce, Brantley, and Glynn	29.91
In the county of Dade	29.90
In all counties south of Stewart, Webster, Terrell, Dougherty, Worth, Tift, Irwin, Coffee, Bacon, Appling, Wayne, and McIntosh	29.82

## KENTUCKY

In all counties	29.39
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## LOUISIANA

In the Parishes of East Baton Rouge, East Feliciana, Livingston, Orleans, St. Helena, St. Tammany, Tangipahoa, Washington, and West Feliciana	29.35
In the Parishes of Concordia, East Carroll, Madison, and Tensas	29.30
In the Parish of West Carroll	29.29
In all Parishes not listed above	29.28

## MISSISSIPPI

In the counties of Alcorn, Attala, Benton, Calhoun, Carroll, Chickasaw, Choctaw, Clay, De Soto, Grenada, Itawamba, Kemper, Lafayette, Lauderdale, Leake, Lee, Lowndes, Madison, Marshall, Monroe, Montgomery, Neshoba, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Tate, Tippah, Tishomingo, Union, Webster, Winston, and Yalobusha	29.40
In the counties of Clarke, Copiah, Covington, Forrest, George, Greene, Hinds, Jackson, Jasper, Jefferson, Davis, Jones, Lamar, Lawrence, Lincoln, Marion, Newton, Perry, Pike, Rankin, Scott, Simpson, Smith, Stone, Walthall, and Wayne	29.37
In the counties of Adams, Amite, Bolivar, Claiborne, Coahoma, Franklin, Hancock, Harrison, Holmes, Humphreys, Issaquena, Jefferson, Leflore, Pearl River, Quitman, Sharkey, Sunflower, Tallahatchie, Tunica, Warren, Washington, Wilkinson, and Yazoo	29.35



[All rates expressed in cents per pound, gross weight, basis Middling White and Extra White,  $1\frac{1}{16}$ -inch cotton]

## MISSOURI

In the counties of Dunklin, New Madrid, and Pemiscot..... 29.34  
In the counties of Butler, Mississippi, Scott, and Stoddard..... 29.32  
In all counties not listed above..... 29.28

## NEW MEXICO

In the county of Lea..... 29.12  
In the counties of Chaves, Curry, De Baca, Eddy, Quay, and Roosevelt..... 29.06  
In the counties of Colfax, Don Ana, Guadalupe, Harding, Lincoln, Mora, Otero, San Miguel, Sierra, Socorro, Torrance, and Union..... 29.05  
In all counties not listed above..... 28.68

## NORTH CAROLINA

In all counties west of Granville, Wake, Barnett, Hoke, and Scotland..... 30.17  
In all counties east of Person, Durham, Chatham, Lee, Moore, and Richmond..... 30.10

## OKLAHOMA

In all counties east of Kay, Noble, Logan, Oklahoma, Cleveland, McClain, Garvin, Murray, Carter, and Love..... 29.28  
In all counties west of Osage, Pawnee, Payne, Lincoln, Pottawatomie, Pontotoc, Johnston, and Marshall; and east of Woods, Woodward, and Ellis..... 29.22  
In all counties west of Alfalfa, Major, Dewey, and Roger Mills..... 29.19

## SOUTH CAROLINA

In all counties west of Marlboro, Darlington, Lee, Sumter, Calhoun, Orangeburg, and Barnwell..... 30.17  
In all counties east of Chesterfield, Kershaw, Richland, Lexington, and Alkin..... 30.10

## TENNESSEE

In all counties east of Marion, Sequatchie, Bledsoe, Cumberland, Morgan, and Scott..... 29.90  
In the counties of Marion, Sequatchie, Grundy, Bledsoe, and Cumberland..... 29.80  
In the counties of Franklin, Coffee, Warren, Van Buren, White, and Overton..... 29.70  
In the counties of Lincoln, Giles, Moore, Bedford, Marshall, Rutherford, Cannon, DeKalb, and Wilson..... 29.60  
In the counties of Lawrence, Wayne, Lewis, Perry, Hickman, Humphreys, Dickson, Davidson, Williamson, and Maury..... 29.50  
In the counties of Hardin, Decatur, Chester, Fayette, Hardeman, Henderson, McNairy, Madison, and Shelby..... 29.40  
In the counties of Benton, Stewart, Carroll, Crockett, Dyer, Gibson, Haywood, Henry, Lake, Lauderdale, Obion, Tipton, and Weakley..... 29.39

## TEXAS

In all counties east of Montague, Denton, Dallas, Ellis, Navarro, Anderson, Houston, Trinity, Walker, Grimes, Waller, Wharton, and Matagorda..... 29.28  
In all counties west of Cooke, Collin, Rockwall, Kaufman, Henderson, Cherokee, Angelina, Polk, San Jacinto, Montgomery, Harris, Fort Bend, and Brazoria; and east of Childress, Cottle, Knox, Haskell, Jones, Taylor, Coleman, San Saba, Llano, Gillespie, Kendall, Bexar, Wilson, Karnes, Goliad, Bee, and San Patricio..... 29.22

[All rates expressed in cents per pound, gross weight, basis Middling White and Extra White,  $1\frac{1}{16}$ -inch cotton]

## TEXAS—Continued

In the counties of Childress, Coke, Coleman, Collingsworth, Concho, Cottle, Dickens, Donley, Fisher, Gillespie, Gray, Hall, Haskell, Jones, Kendall, Kent, Llano, Knox, King, McCulloch, Mason, Mitchell, Motley, Nolan, Runnels, San Saba, Scurry, Stonewall, Taylor, Tom Green, and Wheeler..... 29.19  
In the counties of Bee, Bexar, Goliad, Karnes, Nueces, San Patricio, and Wilson..... 29.17  
In all counties west of Gray, Donley, Hall, Motley, Dickens, Kent, Scurry, Mitchell, Coke, Tom Green, Mason, Gillespie, Kendall, Bexar, Wilson, Karnes, Bee, San Patricio, and Nueces; and east of Winkler, Ward, Pecos, Terrell, and Val Verde..... 29.14  
In the counties of Loving, Pecos, Reeves, Terrell, Ward, Winkler, and Val Verde..... 29.12  
In the counties of Brewster, Culberson, Hudspeth, Jeff Davis, and Presidio..... 29.06  
In the county of El Paso..... 29.05

## VIRGINIA

In all counties..... 30.10  
(Sec. 302, 52 Stat. 43, as amended, sec. 1, 62 Stat. 1247, 62 Stat. 1070; 7 U. S. C. 1302, 7 U. S. C., Supp., 1282, 15 U. S. C. 714)

Issued this 16th day of August 1949.

[SEAL] HAROLD K. HILL,  
Acting Manager,  
Commodity Credit Corporation.

Approved:

FRANK K. WOOLLEY,  
Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 49-6793; Filed, Aug. 18, 1949; 8:56 a. m.]

## PART 610—DAIRY PRODUCTS

## SUBPART—BUTTERFAT PRICE SUPPORT PROGRAM

Section 610.100 (a) of the announcement heretofore made regarding the 1949 Butterfat Price Support Program (14 F. R. 1703), is hereby amended. Section 610.100, as amended, reads as follows:

§ 610.100 Price support program for butterfat. (a) Commodity Credit Corporation (hereinafter called CCC) will purchase, effective July 27, 1949, and during the remainder of 1949, salted creamery butter of U. S. Grade B or higher, f. o. b. offered delivery points at any location in the United States, at the following prices for butter of the grades specified:

	Price (cents per lb.)
U. S. Grade A and higher.....	62
U. S. Grade B.....	60

(b) Butter purchased shall be produced and located in the continental United States. Purchases will be made on an offer and acceptance basis, in units of not less than minimum cartons as pre-

scribed by the Office of Defense Transportation for the area where the butter is located. The butter shall be bulk butter, solid-packed in commercial containers. Weights and grades of the butter shall be evidenced by inspection certificates issued by the U. S. Department of Agriculture.

(c) Purchases will be made by CCC subject to the terms and conditions of Announcement Da-64 and any amendments which may be issued thereto. Copies of Announcement Da-64 may be obtained from the Director, Dairy Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C.

(d) Butter acquired under the program will be available for sale in the domestic market at not less than the purchase price plus storage and other carrying costs incurred by CCC, or for sale to other Government agencies and school lunch programs.

(62 Stat. 1070, as amended by Pub. Law 85, 81st Cong., 63 Stat. 154; 62 Stat. 1247)

Done at Washington, D. C., this 16th day of August 1949.

[SEAL] HAROLD K. HILL,  
Acting Manager,  
Commodity Credit Corporation.

Approved:

FRANK K. WOOLLEY,  
Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 49-6790; Filed, Aug. 18, 1949; 8:55 a. m.]

## PART 610—DAIRY PRODUCTS

## SUBPART—MANUFACTURING MILK PRICE SUPPORT PROGRAM

The U. S. Department of Agriculture will support prices of milk going into manufacturing uses during 1949 at a national average of 90 percent of the parity equivalent price for manufacturing milk, in accordance with the Agricultural Act of 1948, through purchases of butter and nonfat dry milk solids as previously announced (14 F. R. 1703, 2585), and purchases of Cheddar cheese as provided herein.

§ 610.115 Price support program for manufacturing milk. (a) Commodity Credit Corporation (hereinafter called CCC) will purchase, during the remainder of 1949, Cheddar cheese of U. S. Grade A or higher, f. o. b. offered delivery points at any location in the United States, at the following prices:

Percent moisture content	Price (cents per lb.)
32.7 or less.....	35.13
32.8-33.2.....	34.87
33.3-33.7.....	34.61
33.8-34.2.....	34.35
34.3-34.7.....	34.09
34.8-35.2.....	33.83
35.3-35.7.....	33.57
35.8-36.2.....	33.31
36.3-36.7.....	33.05
36.8-37.2.....	32.79
37.3-37.7.....	32.53
37.8 or higher.....	31.75



(b) Cheddar cheese purchased shall be produced and located in the continental United States. Purchases will be made on an offer and acceptance basis, in units of not less than tariff minimum carlots for the area where the product is located. The Cheddar cheese shall be packed in commercial domestic containers, and grades and weights shall be evidenced by inspection certificates issued by the U. S. Department of Agriculture.

(c) Purchases will be made by CCC subject to the terms and conditions of purchase announcements issued by the Production and Marketing Administration, U. S. Department of Agriculture.

(d) Cheddar cheese acquired under the program will be available for sale in the domestic market at not less than the purchase price plus storage and other carrying costs incurred by CCC, or for sale to other Government agencies and school lunch programs.

(62 Stat. 1070, as amended by Pub. Law 85, 81st Cong., 63 Stat. 154; 62 Stat. 1247)

Issued this 16th day of August 1949.

[SEAL] HAROLD K. HILL,  
Acting Manager,  
Commodity Credit Corporation.

Approved:

FRANK K. WOOLLEY,  
Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 49-6789; Filed, Aug. 18, 1949;  
8:55 a. m.]

[1949 C. C. C. Flaxseed Bulletin II, Amdt. 1]

#### PART 643—OILSEEDS

##### SUBPART—1949 FLAXSEED LOAN AND PURCHASE AGREEMENT PROGRAM

Paragraph (d) of § 643.138, *Loan rates*, of the regulations issued by the Commodity Credit Corporation with respect to the 1949 Flaxseed Loan and Purchase Agreement Program (14 F. R. 3728), is hereby amended by changing the heading and sentence preceding the schedule therein to read as follows:

(d) *County loan rates for No. 1 Flaxseed.* The 1949 county loan rates determined in accordance with this section shall be as follows:

and by adding the following additional states, counties, and respective loan rates:

#### COLORADO

County	No. 1 Flaxseed	County	No. 1 Flaxseed
Boulder	\$3.34	Washington	\$3.34
Elbert	3.34	Weld	3.34
Kit Carson	3.34		

#### IDAHO

Bonner	\$3.63	Idaho	\$3.63
Boundary	3.62	Jefferson	3.58
Camas	3.58	Latah	3.66
Clark	3.56	Nez Perce	3.66
Clearwater	3.65		

#### ILLINOIS

De Kalb	\$3.79	Livingston	\$3.78
Iroquois	3.77	Logan	3.77
Kankakee	3.80	Ogle	3.77
La Salle	3.79	Vermilion	3.77

#### IOWA

County	No. 1 Flaxseed	County	No. 1 Flaxseed
Adair	\$3.66	Kossuth	\$3.74
Audubon	3.69	Lyon	3.72
Boone	3.72	Madison	3.70
Buena Vista	3.73	Marion	3.70
Butler	3.74	Mills	3.69
Calhoun	3.72	Mitchell	3.75
Carroll	3.71	Monona	3.71
Cass	3.69	Muscatine	3.73
Cerro Gordo	3.75	O'Brien	3.73
Cherokee	3.72	Osceola	3.73
Clay	3.74	Palo Alto	3.74
Crawford	3.70	Plymouth	3.72
Dallas	3.72	Pocahontas	3.73
Dickinson	3.74	Pottawatomie	3.69
Emmet	3.75	Ringgold	3.67
Floyd	3.75	Sac	3.72
Franklin	3.74	Shelby	3.70
Greene	3.72	Sioux	3.72
Guthrie	3.71	Story	3.72
Hamilton	3.73	Taylor	3.66
Hancock	3.75	Union	3.68
Harrison	3.70	Webster	3.73
Henry	3.72	Winnebago	3.75
Howard	3.75	Winneshiek	3.75
Humboldt	3.73	Woodbury	3.72
Ida	3.71	Worth	3.75
Keokuk	3.71	Wright	3.74

#### KANSAS

Allen	\$3.53	Labette	\$3.52
Anderson	3.51	Linn	3.49
Bourbon	3.49	Lyon	3.50
Chautauqua	3.51	Miami	3.49
Cherokee	3.50	Montgomery	3.55
Coffey	3.52	Morris	3.49
Crawford	3.51	Neosho	3.54
Elk	3.54	Osage	3.50
Franklin	3.50	Wilson	3.54
Greenwood	3.53	Woodson	3.54

#### MICHIGAN

Chippewa	\$3.64	Montcalm	\$3.69
Jackson	3.70	St. Clair	3.66
Mackinac	3.63	Tuscola	3.67

#### MINNESOTA

Aitkin	\$3.79	Lyon	\$3.76
Anoka	3.81	McLeod	3.79
Becker	3.74	Mahnomen	3.74
Beltrami	3.74	Marshall	3.70
Benton	3.78	Martin	3.76
Big Stone	3.75	Meeker	3.79
Blue Earth	3.78	Mille Lacs	3.78
Brown	3.78	Morrison	3.77
Carlton	3.80	Mower	3.77
Carver	3.81	Murray	3.77
Cass	3.77	Nicollet	3.79
Chippewa	3.77	Nobles	3.75
Chisago	3.80	Norman	3.73
Clay	3.74	Olustee	3.78
Clearwater	3.74	Otter Tail	3.76
Cottonwood	3.77	Pennington	3.73
Crow Wing	3.77	Pine	3.79
Dakota	3.81	Pipestone	3.75
Dodge	3.78	East Polk	3.73
Douglas	3.76	West Polk	3.72
Faribault	3.76	Pope	3.77
Fillmore	3.75	Ramsey	3.82
Freeborn	3.77	Red Lake	3.72
Goodhue	3.79	Redwood	3.77
Grant	3.75	Renville	3.78
Hennepin	3.82	Rice	3.80
Houston	3.75	Rock	3.74
Hubbard	3.74	Roseau	3.71
Isanti	3.80	South St.	
Itasca	3.77	Louis	3.79
Jackson	3.75	North St.	
Kanabec	3.79	Louis	3.78
Kandiyohi	3.79	Scott	3.81
Kittson	3.70	Sherburne	3.80
Koochiching	3.72	Sibley	3.79
Lac Qui Parle	3.75	Stearns	3.78
Lake	3.80	Steele	3.78
Lake of the		Stevens	3.76
Woods	3.72	Swift	3.76
LeSueur	3.80	Todd	3.77
Lincun	3.75	Traverse	3.75

#### MINNESOTA—Continued

County	No. 1 Flaxseed	County	No. 1 Flaxseed
Wabasha	\$3.79	Wilkin	\$3.74
Wadena	3.76	Winona	3.77
Waseca	3.78	Wright	3.80
Washington	3.81	Yellow Medicine	3.76
Waterman	3.77		

#### MISSOURI

Barton	\$3.48	Jasper	\$3.49
Bates	3.48	Johnson	3.46
Benton	3.46	Lawrence	3.48
Caldwell	3.45	Pettis	3.45
Cass	3.48	St. Clair	3.46
Clinton	3.45	Vernon	3.49
Henry	3.46	Worth	3.45

#### MONTANA

Beaverhead	\$3.53	McCone	\$3.56
Big Horn	3.44	Meagher	3.51
Blaine	3.50	Mineral	3.55
Broadwater	3.51	Missoula	3.53
Carbon	3.43	Musselshell	3.52
Carter	3.57	Park	3.51
Cascade	3.51	Petroleum	3.51
Chouteau	3.51	Phillips	3.52
Custer	3.53	Pondera	3.51
Daniels	3.55	Powder River	3.56
Dawson	3.58	Powell	3.51
Deer Lodge	3.51	Prairie	3.57
Fallon	3.58	Ravalli	3.52
Fergus	3.51	Richland	3.59
Flathead	3.55	Roosevelt	3.58
Gallatin	3.51	Rosebud	3.53
Garfield	3.52	Sanders	3.57
Glacier	3.52	Sheridan	3.57
Golden Valley	3.50	Silver Bow	3.51
Granite	3.52	Stillwater	3.50
Hill	3.51	Sweet Grass	3.51
Jefferson	3.51	Teton	3.51
Judith Basin	3.51	Toole	3.51
Lake	3.55	Treasure	3.52
Lewis and Clark	3.51	Valley	3.54
Liberty	3.51	Wheatland	3.51
Lincoln	3.57	Wibaux	3.59
Madison	3.51	Yellowstone	3.48

#### NEBRASKA

Antelope	\$3.67	Madison	\$3.67
Box Butte	3.57	Pierce	3.69
Burt	3.71	Sarpy	3.70
Cedar	3.70	Sheridan	3.58
Cumming	3.69	Sioux	3.57
Dakota	3.72	Stanton	3.69
Dawes	3.57	Thurston	3.71
Dixon	3.72	Washington	3.70
Douglas	3.72	Wayne	3.71
Knox	3.59		

#### NORTH DAKOTA

Adams	\$3.63	McLean	\$3.65
Barnes	3.71	Mercer	3.64
Benson	3.67	Morton	3.65
Billings	3.62	Mountrail	3.64
Bottineau	3.64	Nelson	3.69
Bowman	3.62	Oliver	3.65
Burke	3.63	Pembina	3.69
Burlingame	3.67	Pierce	3.66
Cass	3.72	Ramsey	3.68
Cavalier	3.68	Ransom	3.70
Dickey	3.70	Renville	3.64
Divide	3.62	Richland	3.73
Dunn	3.63	Rolette	3.66
Eddy	3.69	Sargent	3.72
Emmons	3.67	Sheridan	3.67
Foster	3.69	Sioux	3.64
Golden Valley	3.60	Slope	3.62
Grand Forks	3.70	Stark	3.63
Grant	3.64	Steele	3.71
Griggs	3.70	Stutsman	3.70
Hettinger	3.64	Towner	3.67
Kidder	3.68	Trall	3.71
La Moure	3.69	Walsh	3.69
Logan	3.68	Ward	3.64
McHenry	3.66	Wells	3.68
McIntosh	3.67	Williams	3.62
McKenzie	3.60		



## RULES AND REGULATIONS

## OKLAHOMA

County	No. 1 Flaxseed	County	No. 1 Flaxseed
Alfalfa	\$3.47	Kiowa	\$3.40
Blaine	3.43	Major	3.43
Caddo	3.41	Mayes	3.48
Canadian	3.41	Murray	3.40
Comanche	3.40	Noble	3.46
Cotton	3.39	Nowata	3.51
Craig	3.49	Osage	3.49
Delaware	3.48	Ottawa	3.48
Dewey	3.41	Pawnee	3.47
Garfield	3.47	Payne	3.46
Grady	3.41	Rogers	3.50
Grant	3.47	Tillman	3.38
Greer	3.39	Tulsa	3.49
Harmon	3.37	Wagoner	3.49
Jackson	3.39	Washington	3.50
Kay	3.48	Washita	3.40
Kingfisher	3.44		

## OREGON

Benton	\$3.78	Lane	\$3.75
Clackamas	3.82	Linn	3.78
Columbia	3.79	Marion	3.80
Crook	3.73	Morrow	3.77
Deschutes	3.72	Multnomah	3.82
Douglas	3.71	Polk	3.79
Harney	3.54	Umatilla	3.72
Jackson	3.74	Wasco	3.80
Jefferson	3.74	Washington	3.81
Klamath	3.75	Yamhill	3.81
Lake	3.72		

## SOUTH DAKOTA

Aurora	\$3.68	Jackson	\$3.62
Beadle	3.71	Jerauld	3.70
Bennett	3.58	Jones	3.63
Bon Homme	3.69	Kingsbury	3.72
Brookings	3.73	Lake	3.72
Brown	3.71	Lawrence	3.58
Brule	3.66	Lincoln	3.72
Buffalo	3.68	Lyman	3.64
Butte	3.59	McCook	3.72
Campbell	3.67	McPherson	3.69
Charles Mix	3.67	Marshall	3.71
Clark	3.73	Meade	3.60
Clay	3.72	Mellette	3.62
Codington	3.73	Miner	3.72
Corson	3.65	Minnehaha	3.72
Custer	3.56	Moody	3.73
Davison	3.70	Pennington	3.60
Day	3.72	Perkins	3.62
Deuel	3.73	Potter	3.68
Dewey	3.64	Roberts	3.72
Douglas	3.68	Sanborn	3.70
Edmunds	3.70	Shannon	3.58
Fall River	3.55	Spink	3.71
Faulk	3.70	Stanley	3.65
Grant	3.73	Sully	3.67
Gregory	3.65	Tripp	3.61
Haakon	3.63	Todd	3.61
Hamlin	3.73	Turner	3.71
Hand	3.70	Union	3.72
Hanson	3.71	Walworth	3.68
Harding	3.62	Washabaugh	3.62
Hughes	3.68	Yankton	3.70
Hutchinson	3.68	Ziebach	3.62
Hyde	3.69		

## WASHINGTON

Asotin	\$3.65	Spokane	\$3.66
Clark	3.82	Whatcom	3.75
Garfield	3.70	Whitman	3.66
Snohomish	3.78		

## WISCONSIN

Ashland	\$3.75	Eau Claire	\$3.77
Barron	3.77	Fond du Lac	3.76
Bayfield	3.77	Green	3.76
Brown	3.74	Green Lake	3.75
Burnett	3.78	Kenosha	3.82
Calumet	3.75	Kewaunee	3.73
Chippewa	3.77	Manitowac	3.75
Clark	3.74	Marathon	3.72
Dane	3.76	Milwaukee	3.82
Dodge	3.76	Outagamie	3.75
Door	3.71	Ozaukee	3.77
Douglas	3.82	Peplin	3.77
Dunn	3.78	Pierce	3.81

## WISCONSIN—Continued

County	No. 1 Flaxseed	County	No. 1 Flaxseed
Racine	\$3.82	Walworth	\$3.78
Rock	3.77	Waukesha	3.77
Rusk	3.76	Winnebago	3.75
Sheboygan	3.76	Wood	3.73
St. Croix	3.80		

## WYOMING

County	No. 1 Flaxseed	County	No. 1 Flaxseed
Campbell	\$3.46	Platte	\$3.51
Crook	3.47	Sheridan	3.43
Goshen	3.52	Weston	3.49
Johnson	3.43	Fremont	3.38
Laramie	3.53	Park	3.35

(Secs. 4 (d) and 5 (a), Pub. Law 806, 80th Cong.; secs. 1 (b) and 202 (a), Pub. Law 897, 80th Cong.)

Issued this 16th day of August 1949.

[SEAL] HAROLD K. HILL,  
Acting Manager,  
Commodity Credit Corporation.

Approved:

FRANK K. WOOLLEY,  
Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 49-6792; Filed, Aug. 18, 1948;  
8:55 a. m.]

[1949 C. C. C. Soybean Bulletin I]

## PART 643—OILSEEDS

SUBPART—1949 SOYBEAN LOAN AND  
PURCHASE AGREEMENT PROGRAM

## Correction

In Federal Register Document 49-5814, appearing in the issue of Saturday, July 16, 1949, at page 3973, make the following change in the table in § 643.164 (b):

In the first line, under the column headed "Percent," change the entry "Below 11.8" to read "Below 11.3".

## PART 661—SWEETPOTATOES

SUBPART—1949 SWEETPOTATO PRICE  
SUPPORT PURCHASE PROGRAM

United States Department of Agriculture will support the price of the 1949 crop of sweetpotatoes at an average of 80 percent of parity as of July 1, 1949.

This bulletin states the requirements with respect to the 1949 sweetpotato price support purchase program formulated by the Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as PMA) of the U. S. Department of Agriculture (hereinafter referred to as the Department). The program will be carried out by PMA under the general supervision and direction of the Manager, CCC. Purchases of eligible sweetpotatoes will be made by CCC from eligible growers or dealers in accordance with the provisions of this bulletin.

Sec.	
661.101	Administration.
661.102	Availability of purchase program.
661.103	Eligible vendors.
661.104	Eligibility of sweetpotatoes.
661.105	Service fee.
661.106	Purchase by CCC.

## Sec.

661.107	Purchase agreements.
661.108	Inspection.
661.109	Liens.
661.110	Set-offs.
661.111	Support prices.

AUTHORITY: §§ 661.101 to 661.111 issued under sec. 5 (a), Pub. Law 806, 80th Cong., sec. 1 (d), Pub. Law 897, 80th Cong.; 62 Stat. 1072, 1247.

§ 661.101 *Administration.* In the field the program will be administered by State PMA Committees, County Agricultural Conservation Committees (hereinafter referred to as county committees) and PMA Commodity Offices. County committees will determine or cause to be determined the eligibility of growers to participate in the program and may designate in writing certain employees of the County Agricultural Conservation Association to execute certificates of eligibility on behalf of the committees. State PMA committees will determine the eligibility of dealers.

§ 661.102 *Availability of purchase program.* Purchases by CCC will be made from growers and eligible dealers to the extent required to afford growers price support at 80 percent of the July 1, 1949 parity, seasonally adjusted. Purchases will be limited to the continental United States and to the period September 1, 1949, through April 30, 1950 except that; (a) the Manager, CCC, if he deems such action necessary may authorize purchases in advance of September 1, 1949, at the prices not in excess of those announced for the period September 1, 1949 through November 15, 1949; (b) in any State or area where a quarantine is imposed price support will cease 10 days prior to the date the quarantine is to become effective and if the quarantine is announced less than 10 days before it is to become effective, purchases will cease on the day of the quarantine announcement; (c) during the period November 16 through November 30, 1949 purchases will not be made except when the sweetpotatoes have been in storage for a period of not less than 15 days, and are showing excessive deterioration. The CCC may also limit the rate of deliveries by time periods after November 30, 1949.

§ 661.103 *Eligible vendors.* Sweetpotatoes will be purchased only from the following eligible vendors:

(a) Growers or their authorized agents.

(b) With respect to sweetpotatoes of their members, associations of growers which are licensed under the Perishable Agricultural Commodities Act (hereinafter referred to as PACA).

(c) With respect to sweetpotatoes of non-members, associations of growers which are licensed under the PACA and which are certified as having agreed to pay non-member growers not less than the applicable support prices or their equivalent for all sweetpotatoes purchased.

(d) Dealers who are licensed under the PACA and who are certified as having agreed to pay growers not less than the applicable support prices or their equivalent for all sweetpotatoes purchased.

Certification under paragraphs (c) and (d) of this section shall be made in ac-



cordance with instructions issued by the Manager, CCC.

§ 661.104 *Eligibility of sweetpotatoes.* Eligible sweetpotatoes are sweetpotatoes produced in 1949 in the continental United States which meet the grade for which support prices have been announced.

§ 661.105 *Service fee.* In the event purchase agreements are used vendors will be required to pay a service fee determined by the Manager of CCC. Such fee will be required from a vendor at the time purchase agreement is executed.

§ 661.106 *Purchase by CCC.* CCC will make purchases only on the basis of offers made to CCC pursuant to purchase announcements applicable to a State or to an area within a State and issued under the direction of the State PMA Committee. Such announcement signed by a CCC Contracting Officer, will prescribe the terms and conditions under which purchases will be made.

§ 661.107 *Purchase agreements.* CCC may enter into purchase agreements prior to November 16, 1949, which will fix the maximum amount that a vendor may care to offer for sale to the Government under the price support program. Deliveries of sweetpotatoes under the agreements will be optional on the part of the vendors, but will be so controlled by CCC as to leave for delivery on or after January 1, 1950, only that quantity of sweetpotatoes which Production and Marketing Administration can distribute through its outlets pursuant to clause (2) of section 32 of Public Law 320, 74th Congress, as amended. If a vendor fails to make, or elects not to make, delivery of any quantity when directed by CCC, the Department will be relieved of any responsibility for price support for that quantity not delivered.

§ 661.108 *Inspection.* All sweetpotatoes offered for purchase must be inspected by a Federal or Federal-State Inspector. Vendors must arrange for the inspection and furnish official inspection certificates without cost to CCC unless otherwise directed.

§ 661.109 *Liens.* Vendors must disclose on the claim for payment submitted to CCC all liens and encumbrances on sweetpotatoes sold to CCC. If sweetpotatoes tendered to CCC are subject to any liens or encumbrances vendors shall obtain proper lien waivers and furnish such waivers to CCC when the sweetpotatoes are tendered for purchase.

§ 661.110 *Set-offs.* (a) If the vendor is indebted to CCC on any accrued obligation, or if any installments past due or maturing within twelve months are unpaid on any loan made available by CCC on farm-storage facilities, whether held by CCC or a lending agency, he must designate CCC or such lending agency as the payee of the proceeds of the purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of amount due prior lienholders.

(b) If the vendor is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such

agency as the payee of the proceeds as provided above.

(c) A grower may be required by an eligible dealer who purchases sweetpotatoes from him to authorize such dealer to turn over the proceeds of such purchase, after deduction of amount due prior lienholders, to the County Agricultural Conservation Association to the extent required to pay any debt owing to CCC, whether or not listed on county debt register, and any debt owing to any other agency of the United States listed on the county debt register.

(d) Dealers may be required by CCC to turn over to the County Agricultural Conservation Association, upon authorization by growers, all or any part of the proceeds of purchases of sweetpotatoes made by dealers from such growers, on account of any debts, as described in paragraph (c) of this section, which such growers may owe CCC or any other Government agency.

(e) Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders.

§ 661.111 *Support prices.* Shown below is a schedule of support prices for U. S. No. 1 grade sweetpotatoes, produced in 1949, washed<sup>1</sup> and packed in new containers beginning September 1, 1949.

Variety	Price per bushel	
	Sept. 1– Nov. 15 <sup>1</sup>	Beginning Nov. 16, 1949, and thereafter <sup>1</sup>
	(Dollars)	(Dollars)
Puerto Rican—Nancy Hall <sup>2</sup> .....	1.50	2.00
Golden—Jersey <sup>2</sup> .....	1.30	1.80
Other varieties.....	1.00	1.50

<sup>1</sup> The above prices are f. o. b. ears or trucks in carlots or truck loads and are for sweetpotatoes packed in standard crates, bushel hampers, and solid or built-up bottom bushel baskets according to the type of containers customarily used in each area and in accordance with good commercial practice in the area as approved by CCC. At the option of CCC deliveries of sweetpotatoes may be made in containers not customarily used in the area or other type of containers than those specified above, in bulk or some other state of preparation, specified by the Director, Fruit and Vegetable Branch, in which case the purchase price will be less than the prices specified above by the value of the marketing services not performed, as determined by the Director, Fruit and Vegetable Branch, PMA.

<sup>2</sup> Including varieties of similar varietal characteristics. The Triumph variety sweetpotato in 1948 was included in the same support bracket as the Golden and Jersey varieties. This year they will be included in the bracket titled "Other Varieties."

If need should develop in any area for support of U. S. No. 2 grade sweetpotatoes, support prices, terms and conditions for them will be announced at that time.

Issued this 16th day of August 1949.

[SEAL] HAROLD K. HILL,  
Acting Manager,  
Commodity Credit Corporation.

Approved:

FRANK K. WOOLLEY,  
Vice President,  
Commodity Credit Corporation.

[F. R. Doc. 49-6791; Filed, Aug. 18, 1949;  
9:19 a. m.]

<sup>1</sup> Unwashed sweetpotatoes 5 cents per bushel less.

[1949 C. C. C. Wheat Bulletin 1, Amdt. 1]

#### PART 671—WHEAT

#### SUBPART—1949-CROP WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM

#### 1949-CROP WHEAT PRICE SUPPORT PROGRAM BULLETIN

The regulations issued by Commodity Credit Corporation and Production and Marketing Administration published in 14 F. R. 3733, governing the making of loans and containing the requirements of the purchase agreement program on wheat produced in 1949 is amended as follows:

Under § 671.117, *Loss or damage to the wheat*, the first sentence is amended so that the section reads as follows:

§ 671.117 *Loss or damage to the wheat.* The producer is responsible for any loss in quantity or quality of the wheat placed under farm-storage loan, except that uninsured physical loss or damage occurring without fault, negligence, or conversion on the part of the producer or any other person having control of the storage structure, resulting solely from an external cause other than insect infestation or vermin, will be assumed by CCC, provided the producer has given the county committee immediate notice in writing of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan.

In the case of wheat placed in a warehouse as "specially binned" or "identity preserved" the producer is responsible for any loss in quantity or quality, except insurable loss which is assumed by the warehouseman under the storage agreement.

(Sec. 5 (a), Pub. Law 806, 80th Cong., sec. 1 (d), Pub. Law 897, 80th Cong.; 62 Stat. 1072, 1247)

Issued this 16th day of August 1949.

[SEAL] HAROLD K. HILL,  
Acting Manager,  
Commodity Credit Corporation.

Approved:

FRANK K. WOOLLEY,  
Vice President,  
Commodity Credit Corporation.

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#### TITLE 7—AGRICULTURE

#### Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

#### PART 711—MARKETING QUOTA REVIEW REGULATIONS

#### MISCELLANEOUS AMENDMENTS

Part 711, Marketing Quota Review Regulations, is hereby amended as follows:

1. Section 711.18 is amended to read as follows:

§ 711.18 *Period of designation.* A review committee shall serve for a period of one calendar year and shall hear applications for review of quotas estab-



lished for the area served by the review committee: *Provided*, That the review committee may serve for a longer period than one year where necessary to conclude proceedings begun during such year. (Sec. 363, 52 Stat. 63; 7 U. S. C. 1363)

2. Section 711.29 is amended to read as follows:

§ 711.29 *Reopening hearing*. The review committee (a) on its own motion, or upon due application therefor, may, within fifteen days from the date of mailing to the applicant of a copy of the determination of the review committee, reopen the hearing for the purpose of taking additional evidence or of adding any relevant matter or document, and (b), upon application by the Secretary of Agriculture or on his behalf by the Assistant Administrator for Production, Production and Marketing Administration, made for any purpose within a period of sixty days from the date of mailing to the applicant of a copy of the determination of the review committee, shall reopen the hearing.

3. Section 711.34, paragraph (a), is amended to read as follows:

§ 711.34 *Forms and custody and inspection of records*. (a) The Assistant Administrator for Production, Production and Marketing Administration, shall cause to be prepared and issued such instructions and forms as may be necessary for carrying out §§ 711.1 to 711.34.

(Sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Statutory provisions interpreted or applied are cited to text)

Done at Washington, D. C. this 29th day of July 1949. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,  
Secretary of Agriculture.

[F. R. Doc. 49-6787; Filed, Aug. 18, 1949;  
8:55 a. m.]

## Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Tokay Grape Order 1]

### PART 951—TOKAY GRAPES GROWN IN CALIFORNIA

#### REGULATION BY GRADES AND SIZES

§ 951.304 *Tokay Grape Order 1—(a) Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 51, as amended (7 CFR Part 951; 14 F. R. 440), regulating the handling of Tokay grapes grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Industry Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of

Tokay grapes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 31, as amended, 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than August 20, 1949. A reasonable determination as to the supply of, and the demand for, Tokay grapes must await the development of the crop and adequate information thereon was not available to the Industry Committee until August 11, 1949; recommendation as to the need for, and the extent of, grade and size regulation was made at the meeting of said committee on August 11, 1949, after consideration of all available information relative to the supply and demand conditions for such grapes, at which time the recommendations and information were transmitted to the Department; shipments of the current crop of such grapes are expected to begin on or about August 17, 1949, and this section should be made effective as soon thereafter as practicable in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order*. (1) During the period beginning at 12:01 a. m., P. s. t., August 20, 1949, and ending at 12:01 a. m., P. s. t., January 1, 1950, no shipper shall ship:

(i) Any Tokay grapes produced in the Lodi District which do not meet the grade and size requirements of U. S. No. 1 Table Grapes: *Provided*, That, in lieu of the tolerance of ten (10) percent for variations incident to proper grading and handling provided for U. S. No. 1 Table Grapes, not more than a total of eight (8) percent, by weight, of the Tokay grapes contained in any container may be below the requirements of U. S. No. 1 Table Grapes; or

(ii) Any Tokay grapes produced in the Florin District which do not meet the grade and size requirements of U. S. No. 1 Table Grapes: *Provided*, That, in addition to the tolerances provided for U. S. No. 1 Table Grapes, there shall be allowed, for each container of Tokay grapes, an aggregate tolerance of six (6) percent, by weight, for defects not considered serious damage and for bunches smaller than the minimum size specified for U. S. No. 1 Table Grapes.

(2) *Definitions*. As used in this section "handler," "shipper," "ship," "Lodi District," "Florin District," "bunches," and "size" shall have the same meaning as when used in the amended marketing

agreement and order; and "U. S. No. 1 Table Grapes," "defects," and "serious damage" shall have the same meaning as when used in the United States Standards for Table Grapes (7 CFR 51.232).

(48 Stat. 31, as amended, 7 U. S. C. 601 and Sup. I 601 et seq.; 7 CFR Part 951, 14 F. R. 440)

Done at Washington, D. C., this 16th day of August 1949.

[SEAL] S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 49-6786; Filed, Aug. 18, 1949;  
8:54 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 4960]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

CARTER PRODUCTS, INC., ET AL.

Subpart—*Advertising falsely or misleadingly*: § 3.170 *Qualities or properties of product or service*: § 3.195 *Safety*. In connection with the offering for sale, sale or distribution of a cosmetic preparation designated "Arrid", or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce of said preparation, which advertisements represent, directly or through inference, (a) that the application of said preparation stops under-arm perspiration, or that it will be more than temporarily effective in reducing the flow of perspiration; (b) that said preparation will be more than temporarily effective in keeping the armpits dry or odorless; (c) that the use of said preparation immediately after shaving will not irritate the skin; (d) that the said preparation will be more than temporarily effective in preventing the accumulation of odor-creating body secretions or excretions in the armpits; or, (e) that said preparation is safe or harmless to use, without disclosing that it may cause irritation of sensitive skin; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Carter Products, Inc., et al., Docket 4960, July 14, 1949]

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 14th day of July A. D. 1949.

*In the Matter of Carter Products, Inc., a Corporation, and Small & Seiffer, Inc., a Corporation*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer of respondents, testimony and other evi-



[Docket No. 5566]

## PART 3—DIGEST OF CEASE AND DESIST ORDERS

ASSOCIATED TRADE PRESS, INC., ET AL.

dence in support of the complaint and in opposition thereto, taken before a trial examiner of the Commission theretofore duly designated by it, the recommended decision of the trial examiner and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral argument of counsel; and the Commission, having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered*, That the respondents, Carter Products, Inc., a corporation, and Small & Seiffer, Inc., a corporation, and their respective agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution of a cosmetic preparation designated "Arrid", or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or through inference:

(a) That the application of said preparation stops under-arm perspiration, or that it will be more than temporarily effective in reducing the flow of perspiration.

(b) That said preparation will be more than temporarily effective in keeping the armpits dry or odorless.

(c) That the use of said preparation immediately after shaving will not irritate the skin.

(d) That the said preparation will be more than temporarily effective in preventing the accumulation of odor-creating body secretions or excretions in the armpits.

(e) That said preparation is safe or harmless to use, without disclosing that it may cause irritation of sensitive skin.

2. Disseminating or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of said preparation in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any of the representations prohibited in paragraph 1 hereof.

*It is further ordered*, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

D. C. DANIEL,  
Secretary.[F. R. Doc. 49-6772; Filed, Aug. 18, 1949;  
8:49 a. m.]

Subpart—*Delaying or withholding corrections or adjustments*: § 3.675 *Delaying or withholding corrections, adjustments or returns*: Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal*: § 3.2060 *Sample, offer or order conformance*. In connection with the offering for sale, sale and distribution of magazines in commerce, (1) taking or receiving subscriptions to magazines or other periodicals unless the publication or publications purchased by the subscriber are in fact delivered to such subscriber within a reasonable length of time after the receipt of such subscription or reasonable adjustment for such failure promptly made; or, (2) substituting or permitting the substitutions of magazines or periodicals for those actually purchased by the subscriber; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Associated Trade Press, Inc., et al., Docket 5566, July 13, 1949]

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 13th day of July A. D. 1949.

*In the Matter of Associated Trade Press, Inc., a Corporation, and John W. Compton, James R. Compton, and Hazel C. Compton, Individually and as Officers of Associated Trade Press, Inc.*

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, in which answer the respondents admit all of the material allegations of fact set forth in said complaint and waive all intervening procedure and further hearings as to said facts, and a stipulation as to certain facts entered into between Daniel J. Murphy, Chief of the Trial Division of the Commission, and the respondents; and the Commission, having made its findings as to the facts and conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

*It is ordered*, That the respondent Associated Trade Press, Inc., a corporation, and its officers, and the respondents John W. Compton, James R. Compton and Hazel C. Compton, individually and as officers of said Associated Trade Press, Inc., and their respective representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of magazines in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from

1. Taking or receiving subscriptions to magazines or other periodicals unless the publication or publications purchased by the subscriber are in fact delivered to such subscriber within a reasonable length of time after the receipt of such

subscription or reasonable adjustment for such failure promptly made.

2. Substituting or permitting the substitution of magazines or periodicals for those actually purchased by the subscriber.

*It is further ordered*, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

D. C. DANIEL,  
Secretary.[F. R. Doc. 49-6773; Filed, Aug. 18, 1949;  
8:49 a. m.]

## TITLE 19—CUSTOMS DUTIES

## Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52292]

## PART 16—LIQUIDATION OF DUTIES

## CONVERSION OF THAI (SIAMESE) BAHT

Reference is made to cases in which appraisement has been withheld or liquidation has been suspended pending the determination of the proper rate or rates of exchange for the Thai (Siamese) baht for customs purposes. (See T. D. 52013, dated August 24, 1948 (13 F. R. 5026).)

The Federal Reserve Bank of New York, acting under the authority of section 522 of the Tariff Act of 1930 (31 U. S. C. 372), has certified two rates for the Thai (Siamese) baht, one designated as the "Official" rate and the other designated as the "Free" rate for dates during the period commencing January 29, 1947, and continuing to date.

Available information indicates that in January 1947, the control of foreign exchange was taken over by the Bank of Thailand; that under the exchange control measures put into effect by the Bank of Thailand the foreign currency proceeds derived from the exportation of certain commodities are required to be surrendered in whole or in part at the "Official" rate, while the foreign currency proceeds derived from other exports are free of control and may be sold in the open market at the "Free" rate. Although the Department does not have complete and up-to-date information as to particular commodities, it appears likely from such information as is available that rice, tin, rubber, cement, and teak are, or have been during a part of the period of dual-rate certifications, exports for which the foreign exchange proceeds are or have been required to be surrendered in whole or in part at the "Official" rate.

In the case of any importation of merchandise exported from Thailand on or after January 29, 1947, in which appraisement has been withheld or liquidation suspended pending the determination of a proper rate or rates for the Thai (Siamese) baht for customs purposes, the appraiser or collector shall proceed, respectively, with the appraise-



ment and liquidation according to the following procedure, subject to the requirements and conditions outlined below:

1. No rate of exchange shall be used for customs purposes under these instructions except a rate or rates certified by the Federal Reserve Bank of New York for the date of exportation of the merchandise, unless there is a proclaimed value for the currency of Thailand which varies by less than 5 percent from any certified rate otherwise applicable. If there is a proclaimed value, it shall be used in lieu of any certified rate otherwise applicable from which such proclaimed value varies by less than 5 percent.

2. Where the appraisement is to be made in the currency of Thailand, the appraiser shall designate in his report to the collector the class or classes of currency in which appraisement is made by using the terms applied to such currency by the Federal Reserve Bank, namely, "Official" bahts or "Free" bahts, as the case may be. If both classes are used on a percentage basis, the percentage of each shall be indicated clearly.

3. For the purpose of appraisement and assessment of duties, the amount of any value expressed in bahts shall be considered to consist of "Official" bahts if the appraiser or collector is satisfied from information in his files, information presented to him by the importer, or information obtained from other sources, that under the Thai (Siamese) exchange control measures applicable to the particular class of commodity on the date of exportation, the exchange was required to be surrendered at the "Official" rate; shall be considered to consist of "Free" bahts if the appraiser or collector is satisfied from such information that the exchange was permitted to be sold at the "Free" rate; or in cases, if any, where only a portion of the exchange is required to be surrendered at the "Official" rate, shall be considered to consist of "Official" bahts for the percentage of the exchange for which the appraiser or collector is satisfied from such information represents the percentage required to be surrendered at the "Official" rate and shall be considered to consist of "Free" bahts for the remaining percentage, where it is established to the satisfaction of the appraiser or collector that the "Free" rate was permissible for the remaining percentage; and the rate or rates certified by the Federal Reserve Bank for the class or classes of currency in which such value has been established shall be used; except that:

(a) If the appraiser or collector has credible information that the rate or combination of rates which would otherwise be applicable under this paragraph was not required or permitted, as the case may be, under the Thai (Siamese) exchange measures to be used uniformly during any period in connection with the payment for all merchandise of the type involved, appraisement shall be withheld and liquidation shall be suspended as to all merchandise of the type

involved exported to the United States during the period involved.

(b) If the appraiser or collector has credible information that a rate or combination of rates not used in payment for the merchandise was used in payment of costs, charges, or expenses, the currency conversions for the exchange covering payment for the merchandise and for the exchange covering such costs, charges, or expenses shall be calculated separately. If the costs, charges, or expenses are dutiable they shall be calculated according to the rules stated above, and in the event that any rate used in payment of such dutiable costs, charges, or expenses was a rate not certified by the Federal Reserve Bank appraisement shall be withheld and liquidation suspended. In deducting non-dutiable costs, charges, or expenses, the conversion of the foreign exchange shall be at the rate or rates actually used in payment of such costs, charges, or expenses, whether or not certified by the Federal Reserve Bank.

Whenever appraisement is withheld or liquidation suspended a detailed report shall be transmitted immediately to the Bureau of Customs.

When information regarding the Thai (Siamese) currency conversion practices necessary to comply with the instructions contained herein is not available at a port other than New York, the appraiser or collector shall request the Customs Information Exchange, 201 Varick Street, New York 14, New York, to furnish such pertinent information as may be available.

It is realized that cases may arise in which there is not available locally or through the Customs Information Exchange sufficient information from which to determine definitely the rate or rates applicable under the Thai (Siamese) exchange control measures to the importation involved. The appraiser or collector shall determine in each case whether the facts warrant appraisement and liquidation in accordance with the instructions herein or whether action shall be suspended and a report submitted to the Bureau of Customs.

All the certified rates for dates on and after January 29, 1947, will be published in Customs Information Exchange circulars.

Where, at the time of making entry or upon the acceptance of an amended entry, information is presented to the collector or is in his possession which establishes to his satisfaction the rate or rates for the particular importation in accordance with the pertinent requirements of these instructions, deposit of estimated duties or of supplemental estimated duties calculated in accordance with that information shall be accepted.

Section 16.4 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 16.4 (c)), is hereby amended by adding "Thai (Siamese) baht" to the list of foreign currencies for which instructions have been issued under section 522 (c) of the Tariff Act of 1930 (31 U. S. C. 372 (c)) and by placing opposite such addition the

number and date of this Treasury decision and the FEDERAL REGISTER citation thereof.

Notice of the proposed issuance of the foregoing instructions was published in the FEDERAL REGISTER on Friday, May 13, 1949 (14 F. R. 2546), pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003). The basis of the instructions is section 522 of the Tariff Act of 1930 (31 U. S. C. 372) as construed by the courts, and their purpose is to provide instructions for applying multiple rates of exchange certified by the Federal Reserve Bank of New York for currency conversion for the assessment and collection of customs duties. These instructions shall be effective on the date of publication in the FEDERAL REGISTER, the delayed effective date requirements of section 4 (c) of the Administrative Procedure Act being dispensed with because the instructions relate to action to be taken by customs officers and, although affecting rights of interested persons, do not require any action to be taken by such persons.

(Sec. 505, 46 Stat. 732; 19 U. S. C. 1505)

FRANK DOW,  
Commissioner of Customs.

Approved: August 9, 1949.

JOHN S. GRAHAM,  
Acting Secretary of the Treasury.

[F. R. Doc. 49-6764; Filed, Aug. 18, 1949;  
9:04 a. m.]

[T. D. 52294]

#### PART 19—CUSTOMS WAREHOUSES AND CONTROL OF MERCHANDISE THEREIN

##### APPLICATIONS FOR PERMISSION TO MANIPULATE IN FOREIGN-TRADE ZONES

The regulations of the Foreign-Trade Zones Board have been amended to eliminate the intermediate rulings of the Commissioner of Customs on decisions of the collector of customs on applications for permission to manipulate in a foreign-trade zone. Accordingly, the final two sentences of § 19.33 (c), Customs Regulations of 1943 (19 CFR, Cum. Supp., 19.33 (c)), are amended to read as follows: "Should the collector be in doubt as to whether a contemplated manipulation is authorized in the act he shall refer the application for permission to manipulate to the Executive Secretary of the Foreign-Trade Zones Board for advice. In the event the applicant or zone operator is dissatisfied with the decision of the collector, appeal may be made to the Board."

(R. S. 251, sec. 3, 43 Stat. 999; 19 U. S. C. 66, 81c)

G. H. GRIFFITH,  
Acting Commissioner of Customs.

Approved: August 10, 1949.

JOHN S. GRAHAM,  
Acting Secretary of the Treasury.

[F. R. Doc. 49-6765; Filed, Aug. 18, 1949;  
9:04 a. m.]



**TITLE 21—FOOD AND DRUGS****Chapter I—Food and Drug Administration, Federal Security Agency****PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS****PART 146—CERTIFICATION OF BATCHES OF PENICILLIN- OR STREPTOMYCIN-CONTAINING DRUGS***Correction*

In Federal Register Document No. 49-6601, appearing at page 5006 of the issue for Saturday, August 13, 1949, the following changes should be made:

1. In § 141.204 (b) the reference to "§ 141.26 (a)" should read "§ 141.26 (e)".
2. In § 146.203 the heading of paragraph (e) *Fees* should read "(e) *Fees for the service.*"

**TITLE 24—HOUSING AND HOUSING CREDIT****Chapter VIII—Office of Housing Expediter**

[Controlled Housing Rent Reg., Amdt. 151]

**PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED****MISSISSIPPI AND NORTH CAROLINA**

The Controlled Housing Rent Regulation §§ 825.1 to 825.12 is amended in the following respects:

1. Schedule A, Item 165, is amended to describe the counties in the Defense-Rental Area as follows:

*Leflore.*

This decontrols from §§ 825.1 to 825.12 (1) the City of Grenada in Grenada County, Mississippi, a portion of the Grenada, Mississippi, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Grenada County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

2. Schedule A, Item 216b, is amended to describe the counties in the Defense-Rental Area as follows:

*Pitt.*

This decontrols from §§ 825.1 to 825.12 (1) the City of Washington in Beaufort County, North Carolina, a portion of the Greenville, North Carolina, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Beaufort County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

3. Schedule A, Item 221e, is amended to describe the counties in the Defense-Rental Area as follows:

*Davidson, except the City of Lexington; and Rowan.*

This decontrols from §§ 825.1 to 825.12 the City of Lexington in Davidson County, North Carolina, a portion of the Salisbury, North Carolina, Defense-Rental Area, based on a resolution

submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d).)

This amendment shall become effective August 16, 1949.

Issued this 16th day of August 1949.

TIGHE E. WOODS,  
*Housing Expediter.*

[F. R. Doc. 49-6761; Filed, Aug. 18, 1949; 8:47 a. m.]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt 147]

**PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED****MISSISSIPPI AND NORTH CAROLINA**

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) is amended in the following respects:

1. Schedule A, Item 165, is amended to describe the counties in the Defense-Rental Area as follows:

*Leflore.*

This decontrols from §§ 825.81 to 825.92 (1) the City of Grenada in Grenada County, Mississippi, a portion of the Grenada, Mississippi, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Grenada County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

2. Schedule A, Item 216b, is amended to describe the counties in the Defense-Rental Area as follows:

*Pitt.*

This decontrols from §§ 825.81 to 825.92 (1) the City of Washington in Beaufort County, North Carolina, a portion of the Greenville, North Carolina, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, and (2) the remainder of said Beaufort County, on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

3. Schedule A, Item 221e is amended to describe the counties in the Defense-Rental Area as follows:

*Davidson, except the City of Lexington; and Rowan.*

This decontrols from §§ 825.81 to 825.92 the City of Lexington in Davidson County, North Carolina, a portion of the Salisbury, North Carolina, Defense-Rental Area, based on a resolution submitted in accordance with Section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94, and by Public Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d).)

This amendment shall become effective August 16, 1949.

Issued this 16th day of August 1949.

TIGHE E. WOODS,  
*Housing Expediter.*

[F. R. Doc. 49-6762; Filed, Aug. 18, 1949; 8:48 a. m.]

**PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED****RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS IN NEW YORK CITY DEFENSE-RENTAL AREA,<sup>1</sup> INCLUDING AMENDMENTS 1-18**

This republication of the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in the New York City Defense-Rental Area, §§ 825.101 to 825.112, includes all amendments which became effective after July 1, 1947, and prior to August 1, 1949.

Sec. 825.101	Definitions and scope of §§ 825.101 to 825.112.
825.102	Prohibition.
825.103	Minimum space, services, furniture, furnishings, and equipment.
825.104	Maximum rents.
825.105	Adjustments and other determinations.
825.106	Removal of tenant.
825.107	Registration and records.
825.108	Evasion.
825.109	Enforcement.
825.110	Procedure.
825.111	[Revoked.]
825.112	Adoption of orders.

AUTHORITY: §§ 825.101 to 825.112 issued under Pub. Laws 129, 422, 464, 80th Cong., and Pub. Law 31, 81st Cong.

§ 825.101 *Definitions and scope of §§ 825.101 to 825.112.* "Act" means the Housing and Rent Act of 1947, as amended.

"Expediter" means the Housing Expediter, or the Rent Director or such other person or persons as the Housing Expediter may appoint or designate to carry out any of the duties delegated to him by the act.

"Rent Director" means the person designated by the Expediter as director of the defense-rental area or such person or persons as may be designated to carry out any of the duties delegated to the Rent Director by the Expediter.

"Local Advisory Board" means a board created in a defense-rental area or a part thereof, the members of which are appointed by the Housing Expediter upon recommendations made by the Governor or as otherwise required by section 204 (e) of the Housing and Rent Act of 1947.

"Area Rent Office" means the Office of the Rent Director in the defense-rental area.

"Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

"Housing accommodations" means any building structure, or part thereof, or

<sup>1</sup> 13 F. R. 5770, 8391; 14 F. R. 19, 1580, 1869, 2062, 2238, 2608, 3401, 3469, 3676, 3746, 4752.



land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all privileges, services, furniture, equipment, facilities and improvements connected with the use or occupancy of such property.

"Room" means a room or group of rooms, not constituting an apartment, rented or offered for rent as a housing accommodations unit in a rooming house, hotel, or other establishment. The term includes ground rented as trailer space.

"Services" includes repairs, decorating, and maintenance, the furnishing of light, heat, hot and cold water, telephone, elevator service, window shades, and storage, kitchen, bath, and laundry facilities and privileges, maid service, linen service, janitor service, the removal of refuse and any other privilege or facility connected with the use or occupancy of a room.

"Landlord" includes an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of any room, or any agent of any of the foregoing.

"Tenant" includes a subtenant, lessee, sublessee, or other person entitled to the possession or to the use or occupancy of any room.

"Rent" means the consideration, including any bonus, benefit, or gratuity demanded or received for or in connection with the use or occupancy of a room or for the transfer of a lease of such room.

"Term of occupancy" means occupancy on a daily, weekly, or monthly basis.

"Rooming house" means, in addition to its customary usage, a building or portion of a building other than a hotel or motor court in which a furnished room or rooms not constituting an apartment are rented on a short term basis of daily, weekly or monthly occupancy to more than two paying tenants, not members of the landlord's immediate family. The term includes boarding houses, dormitories, trailers not a part of a motor court, residence clubs and all other establishments of a similar nature, including tourist homes.

"Motor court" means an establishment renting rooms, cottages, or cabins, supplying parking or storage facilities for motor vehicles in connection with such renting and other services and facilities customarily supplied by such establishments, and commonly known as a motor, auto or tourist court in the community.

"Tourist home" means a rooming house which caters primarily to transient guests and is known as a tourist home in the community.

"Apartment" means a room or rooms providing facilities commonly regarded in the community as necessary for a self-contained dwelling unit, and of a class of accommodations customarily rented without variations in rent dependent on terms of occupancy and number of occupants: *Provided, however*, That a self-contained dwelling unit containing a kitchen and bath shall be deemed an apartment.

"Other establishments" means multiple unit establishments, other than

hotels or rooming houses, containing more than two rooms (see definition of room) rented or offered for rent on a short time basis of daily, weekly or monthly occupancy.

"Maximum rent date" means March 1, 1943, the date established as the maximum rent date in the New York City defense-rental area under the authority of the Emergency Price Control Act of 1942, as amended, and the regulations issued thereunder, except that in the case of recontrolled rooms in hotels covered by § 825.104 (h) (2) the term "maximum rent date" shall mean March 1, 1949.

"The 30-day period determining the maximum rent" means the period provided in the "Hotel Regulation" for determining, under section 4 (a) or (b) of that regulation, the maximum rent for any room.

"Effective date of regulation" means November 1, 1943, the effective date of the "Hotel Regulation", for the New York City defense-rental area, except where the context indicates clearly to the contrary.

"Hotel Regulation" means the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses, and Motor Courts for the New York City defense-rental area in effect on June 30, 1947, issued under authority of and pursuant to the Emergency Price Control Act of 1942, as amended.

(a) *Rooms in rooming houses, hotels, and other establishments and defense-rental area to which §§ 825.101 to 825.112 apply.* Sections 825.101 to 825.112 apply to all rooms in hotels, rooming houses, and other establishments and to all accommodations brought under §§ 825.101 to 825.112 by consent of the Area Rent Director pursuant to section 1 (e), and to all accommodations brought under the "Hotel Regulation" by consent of the Area Rent Director pursuant to section 1 (e) of that regulation, within the New York City defense-rental area, consisting of the City of New York (including the Boroughs of Bronx, Brooklyn, Manhattan, Queens, and Richmond) and the Counties of Nassau and Suffolk in the State of New York, except as provided in paragraph (b) of this section. The New York City defense-rental area is referred to hereinafter in §§ 825.101 to 825.112 as the "defense-rental area."

(b) *Decontrolled and exempted housing to which §§ 825.101 to 825.112 do not apply—*(1) *Exempted housing to which §§ 825.101 to 825.112 do not apply.* Sections 825.101 to 825.112 do not apply to the following:

(i) *Farming tenants.* Rooms situated on a farm and occupied by a tenant who is engaged for a substantial portion of his time in farming operations thereon.

(ii) *Service employees.* Dwelling space occupied by domestic servants, caretakers, managers, or other employees to whom the space is provided as part or all of their compensation and who are employed for the purpose of rendering services in connection with the premises of which the dwelling space is a part.

(iii) *Charitable or educational institutions.* Rooms in hospitals, or rooms of charitable or educational institutions

used in carrying out their charitable or educational purposes.

(iv) *Entire structures.* Entire structures or premises, as distinguished from the rooms within such entire structures or premises.

(v) *Non-profit clubs.* Rooms in a bona fide club certified by the Expediter as exempt. The Expediter shall so certify if on written request of the landlord he finds that the club (a) is a non-profit organization and is recognized as such by written statement of the Bureau of Internal Revenue, (b) rents rooms only to members, bona fide guests of members, and members of bona fide clubs with which the club has reciprocal arrangements for the exchange of privileges, and (c) is otherwise operated as a bona fide club.

(vi) *College fraternity or sorority houses.* Rooms in a bona fide college fraternity or sorority house certified by the Expediter as exempt. The Expediter shall so certify if, on written request of the landlord, he finds that the fraternity or sorority is a bona fide organization operated for the benefit of students and not for profit as a commercial or business enterprise. This exemption shall not apply when the rooms are rented to persons who are not members of the fraternity or sorority.

(vii) *Summer resort housing.* Rooms located in a resort community and customarily rented or occupied on a seasonal basis prior to October 1, 1945, which were not rented during any portion of the period beginning on November 1, 1943, and ending on February 29, 1944.

This exemption shall be effective only from June 1 to September 30, inclusive.

(viii) *Housing accommodations subject to national rent schedule of Army, Navy or Air Force.* Housing accommodations rented by the Army, Navy or Air Force at a rent fixed by a national schedule of rents of the Army, Navy or Air Force.

(2) *Decontrolled housing to which §§ 825.101 to 825.112 do not apply.* Sections 825.101 to 825.112 do not apply to the following:

(i) *Rooms in hotels.* (a) In cities of less than 2,500,000 population according to the 1940 decennial census, those rooms in any hotel which on June 30, 1947, were occupied by persons to whom were provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy services (not necessarily all the types of services named need be provided in all cases as long as enough are provided to constitute customary hotel services usually supplied in establishments commonly known as hotels in the community where they are located). For purposes of this subdivision (a), the term "hotel" means any establishment which is commonly known as a hotel in the community in which it is located and which provides customary hotel services.

(b) In cities of 2,500,000 population or more according to the 1940 decennial census, (1) those rooms which are located in hotels in which on March 1, 1949, 75 percent or more of the occupied hous-



ing accommodations were rented on a daily basis to tenants who had not continuously resided in the hotel from December 2, 1948, to March 1, 1949 (both dates inclusive), or (2) those rooms in hotels not covered by (1) above, which were not rented as housing accommodations on March 1, 1949, on a permanent basis. For purposes of this subdivision (b), the term:

"Hotel" means any establishment which on June 30, 1947, was commonly known as a hotel in the community in which it is located and in which at least an appreciable number of its occupants were provided with customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy service.

"Occupied housing accommodations" means accommodations which were rented as housing accommodations.

"Rented on March 1, 1949, on a permanent basis" means rented on March 1, 1949, to a tenant on other than a daily basis or rented on that date on a daily basis to a tenant who had continuously resided in the hotel from December 2, 1948, to March 1, 1949 (both dates inclusive).

**Reporting requirements.** Every landlord of housing accommodations in hotels in cities of 2,500,000 population or more according to the 1940 decennial census shall, no later than May 31, 1949, file in the Area Rent Office a report of decontrol on the Expediter's Form D-95A.

**Orders on report of decontrol.** Upon the filing by a landlord of a report of decontrol on Form D-95A, the Expediter shall make a determination as to which housing accommodations in the establishment are decontrolled and which are controlled and shall enter an order reflecting this determination.

**Registration and posting requirements.** The following provisions apply to every landlord of controlled rooms in hotels in cities of 2,500,000 population or more according to the 1940 decennial census:

(1) For each such room which was under control on March 31, 1949, the landlord shall file a registration statement (Expediter's Form DD-HU) showing the maximum rent in effect on that date. If different maximum rents were in effect for different numbers of occupants or terms of occupancy, the landlord shall also file a supplemental registration statement (Expediter's Form DD-HU, Supp.) showing all maximum rents.

(2) For each such room which was not under control on March 31, 1949, and was recontrolled on April 1, 1949, the landlord shall file a registration statement (Expediter's Form DD-HU) showing the rent charged on March 1, 1949. If on March 1, 1949, there were in effect established rates on the basis of which maximum rents are fixed by § 825.104 (b) (2) for different numbers of occupants or terms of occupancy, the landlord shall also file a supplemental registration statement (Expediter's Form DD-HU, Supp.) showing such established rates.

In all cases such statements shall be filed in the Area Rent Office no later than 30 days after the date of issuance of an order entered on a report of decontrol. All such statements shall be deemed to be registration statements within the meaning of § 825.107 and, except for the time prescribed for the filing thereof, shall be subject to the provisions of § 825.107.

(3) In every such controlled room, the landlord shall, within the same period as he is required to file a registration statement, post and thereafter keep posted conspicuously a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which maximum rents are established. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Where different maximum rents are established for different terms of occupancy, the card or sign shall state that the maximum rent and services for a particular term of occupancy shall apply, if the tenant so requests, after the tenant has been in continuous occupancy in the hotel for that period of time. Should the maximum rent or rents for the room be changed by order of the Expediter, the landlord shall, within ten days after the effective date of the order, alter the card or sign so that it states the changed rent or rents.

(ii) **Motor courts.** Rooms in establishments which were motor courts on June 30, 1947.

(iii) **Trailer or trailer space.** Trailers and ground space rented for trailers, which on April 1, 1949, were used exclusively for transient occupancy, i. e., rented on a daily basis to tenants who had not continuously resided therein on and since March 1, 1949.

(iv) **Tourist homes.** Rooms in any tourist home serving transient guests exclusively on June 30, 1947.

(v) **Other establishments.** Rooms in other establishments (see definition of other establishments in this section) which on June 30, 1947, were occupied by persons who were provided customary hotel services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk service, use and upkeep of furniture and fixtures, and bellboy service.

(vi) **Rooms created by new construction or change from non-housing use.**

(a) Rooms the construction of which was completed, or which were created by a change from a non-housing to a housing use, on or after February 1, 1947: *Provided, however,* That maximum rents established under the Veterans' Emergency Housing Act for priority constructed housing accommodations completed on or after February 1, 1947, shall continue in full force and effect, if such accommodations are being rented to veterans of World War II or their immediate families, who, on June 30, 1947, either (1) occupied such housing accommodations, or (2) had a right to occupy such housing accommodations at any time on or after July 1, 1947, under any agreement whether written or oral.

(b) Rooms the construction of which was completed between February 1, 1945,

and January 31, 1947, both dates inclusive, and which between the date of completion and June 30, 1947, both dates inclusive, at no time were rented as housing accommodations (other than to members of the immediate family of the landlord).

For purposes of this subdivision (vi):

The time at which construction of a room shall be deemed to be "completed" shall be the date on which the room is first suitable for occupancy and all utility and service connections have been made, except for the installation of such items and the completion of such decoration work, as, in accordance with the custom of the community, are left for installation by, or to the choice of, the purchaser or the tenant.

(vii) **Additional housing accommodations created by conversion.** (a) Additional housing accommodations created on or after February 1, 1947, by a conversion (i. e., a structural change in a residential unit or units involving substantial alterations and remodeling) which was created on or before March 31, 1949, but subject to the proviso clause set forth in subdivision (vi) (a) of this subparagraph.

(b) Housing accommodations as to which a decontrol order has been entered by the Housing Expediter based on a conversion created on or after April 1, 1949, but subject to the proviso clause set forth in subdivision (vi) (a) of this subparagraph. On petition by the owner such a decontrol order shall be entered by the Housing Expediter, if the following facts are established:

(1) There has been a structural change in a residential unit or units involving substantial alterations or remodeling; and

(2) Such change has resulted in additional, self-contained family units.

For purposes of this subdivision (vii):

The term "self-contained family unit" means a housing accommodation with private access, containing one or more rooms in addition to a kitchen (including kitchenette or pullman kitchen) and a private bathroom: *Provided, however,* That where a housing accommodation meets all these conditions except that it has no private bathroom or no bathroom facilities other than toilet, the Area Rent Director may waive such requirement if he finds that the accommodation is of the type recognized as a self-contained family unit in the neighborhood in which it is located.

(viii) **Non-housekeeping furnished accommodations.** Non-housekeeping furnished accommodations, located within a single dwelling unit not used as a rooming or boarding house, but only if no more than two paying tenants, not members of the landlord's immediate family live in such dwelling unit, and the remaining portion of such dwelling unit is occupied by the landlord or his immediate family. (See definition of rooming house in this section.)

(ix) **Luxury accommodations.** Luxury housing accommodations as to which a decontrol order has been issued by the Expediter. On petition of the landlord, filed on the Expediter's Form D-118 in accordance with the instructions thereon, the Expediter shall decontrol any



luxury housing accommodations if in his judgment such action will result in the creation of additional self-contained family rental units by conversion of such luxury accommodations. Such decontrol order shall be effective no earlier than 30 days after the date of its issuance and may contain such conditions as the Expediter may deem appropriate to effectuate the purposes of this subdivision (ix).

For purposes of this subdivision (ix):

The term "luxury housing accommodations" means unfurnished housing accommodations, located in a multi-unit structure, rented for use by no more than a single family and having a maximum rent in excess of \$290 per month or such lower rental figure as the Area Rent Director may determine to be representative of rentals for luxury housing accommodations in his defense-rental area or any portion thereof.

The terms "self-contained family unit" and "conversion" shall have the same meaning as in subdivision (vii) of this subparagraph.

(c) *Effect of §§ 825.101 to 825.112 on leases and other rental agreements.* The provisions of any lease or other rental agreement shall remain in force pursuant to the terms thereof, except insofar as those provisions are inconsistent with §§ 825.101 to 825.112.

(d) *Waiver of benefit void.* An agreement by the tenant to waive the benefit of any provision of §§ 825.101 to 825.112 is void. A tenant shall not be entitled by reason of §§ 825.101 to 825.112 to refuse to pay or to recover any portion of any rents due or paid for use or occupancy prior to the effective date of §§ 825.101 to 825.112.

(e) *Election by landlords to bring housing under §§ 825.101 to 825.112.* Where a building or establishment contains one or more furnished rooms or other furnished housing accommodations whose maximum rents are determined under the Controlled Housing Rent Regulation, the landlord may with the consent of the Expediter, elect to bring all housing accommodations within such building or establishment under the control of §§ 825.101 to 825.112. A landlord who so elects shall file the registration statements required by § 825.107 for all such housing accommodations, accompanied by a written request to the Expediter to consent to such election.

If the Expediter finds that the provisions of §§ 825.101 to 825.112 establishing maximum rents are better adapted to the rental practices of such building or establishment than the provisions of the Controlled Housing Rent Regulation (§§ 825.1 to 825.12 of this chapter), he shall consent to the landlord's election by order. Accommodations so brought under §§ 825.101 to 825.112 shall be considered "rooms" for the purposes of the regulation.

The landlord may at any time, with the consent of the Expediter, revoke his election made under this paragraph or under section 1 (e) of the "Hotel Regulation", and thereby bring under the control of the Controlled Housing Rent Regulation (§§ 825.1 to 825.12 of this chapter) all housing accommodations previously brought under §§ 825.101 to 825.112 by

such election. He shall make such revocation by filing a registration statement or statements under the Controlled Housing Rent Regulation (§§ 825.1 to 825.12 of this chapter), including in such registration statement or statements all housing accommodations brought under §§ 825.101 to 825.112 by such election. Such registration statement or statements shall be accompanied by a written request to the Expediter to consent to such revocation. The Expediter may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Expediter finds that the revocation so requested will not result in substantial increases in the maximum rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Controlled Housing Rent Regulation (§§ 825.1 to 825.12 of this chapter).

§ 825.102 *Prohibition—(a) Prohibition against higher than maximum rents.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall offer, demand, or receive any rent for or in connection with the use or occupancy on and after July 1, 1947 of any room subject to §§ 825.101 to 825.112, within the defense-rental area, higher than the maximum rents provided by this regulation; and no person shall solicit, attempt, or agree to do any of the foregoing. A reduction in the services, furniture, furnishings or equipment required under § 825.103 shall constitute an acceptance of rent higher than the maximum rent. Lower rents than those provided by §§ 825.101 to 825.112 may be demanded or received.

(b) *Terms of occupancy.* The provisions of this paragraph shall not apply to rooms in hotels in cities of 2,500,000 population or more according to the 1940 decennial census.

(1) *Tenant not required to change term of occupancy.* No tenant shall be required to change his term of occupancy.

(2) *Term of occupancy during June 1943.* Where, during June 1943, a room was rented or offered for rent for a weekly or monthly term of occupancy, the landlord shall continue to offer the room for that term of occupancy except that he is not required to rent for that term more than the greatest number of rooms which were rented for the term at any one time during June 1943. However, if during the year ending on June 30, 1943, a landlord had regular and definite seasonal practices with reference to the renting of rooms on a weekly or monthly basis, he may request the Expediter to approve such practices. When approval is given the landlord shall offer rooms for rent for weekly and monthly terms of occupancy pursuant to the practices so approved. The Expediter may withdraw approval at any time if he finds that the landlord has failed to conform to such practices, or if he finds that the effects of the approval

are inconsistent with the act or §§ 825.101 to 825.112 or are likely to result in the circumvention or evasion thereof.

(3) *Request by tenant to change term of occupancy.* Any tenant on a daily or weekly term of occupancy shall on request be permitted by the landlord to change to a weekly or monthly term unless the landlord is then renting for such term a number of rooms equal to the number which he is required to rent for that term under subparagraph (2) of this paragraph. If the room occupied by such tenant was not rented or offered for rent for such term during June 1943, the landlord may transfer the tenant to a room, as similar as possible, which was so rented or offered for rent.

(4) *Orders where facts are in dispute, in doubt, or not known.* If the landlord's duty under subparagraph (2) of this paragraph, with reference to a room is in dispute, or in doubt, or not known, the Expediter, at any time on his own initiative may issue an order determining the necessary facts and establishing such duty; or, if the Expediter is unable to ascertain the necessary facts, he may issue an order pursuant to subparagraph (5) of this paragraph.

(5) *Orders determining terms of occupancy on basis of rental practices in comparable accommodations in the area.* Where subparagraph (2) of this paragraph does not require the offering of a room on a weekly or monthly basis, or where the Expediter is unable to ascertain the facts necessary to establish the landlord's duty under that paragraph, he may at any time on his own initiative issue an order requiring the room to be offered for rent for a weekly or monthly term of occupancy, or both. The Expediter may issue such orders if he finds that, during a reasonable period prior to the time the proceeding hereunder is commenced, the room has been rented under circumstances which make appropriate the application of weekly or monthly rents. In determining whether the landlord shall be required to offer the room on a weekly basis, or on a monthly basis, or both, the Expediter will consider the practices which prevailed in the defense-rental area for similar accommodations during a reasonable period prior to the effective date of regulation.

Upon issuance of such an order, the room shall be offered for rent on a weekly or monthly basis, or both, as the order may require, for each number of occupants for which it is offered by the landlord for any other term of occupancy. A tenant of the room on a daily or weekly basis shall on request be permitted by the landlord to change to any term of occupancy which the landlord is required to offer pursuant to the order.

(c) *Security deposits—(1) General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person shall demand or receive or retain a security deposit for or in connection with the use or occupancy of any room subject to §§ 825.101 to 825.112 within the defense-rental area, except as provided in this paragraph. The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the



next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subsequent to possession by a tenant under a written lease for his own convenience.

(2) *Maximum rent established under section 4 (a) of the "Hotel Regulation."* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (a), no security deposit shall be demanded, received, or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement in effect on the date determining the maximum rent.

(3) *Maximum rent established under section 4 (b) or (c) of the "Hotel Regulations"—(i) Renting prior to "effective date of regulation."* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (b) or (c) by a renting prior to the effective date of regulation, no security deposit shall be demanded, received or retained except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) provided for in the lease or other rental agreement under which the accommodations were first rented or in any order heretofore or hereafter issued with reference to such security deposit. Where such lease or other rental agreement provided for a security deposit, the Expediter at any time, on his own initiative or on application of the tenant, may order a decrease in the amount of such deposit or may order its elimination.

(ii) *Renting on or after "effective date of regulation."* Where the maximum rent of the housing accommodations is or initially was established under section 4 (b) or (c) of the "Hotel Regulation" by a renting on or after the effective date of regulation, no security deposit shall be demanded or received.

(4) *Maximum rent established under section 4 (d) or (f) of the "Hotel Regulation."* Where the maximum rent of the housing accommodations is or initially was established under said section 4 (d) or (f), no security deposit shall be demanded or received, except in the amount (or any lesser amount) and on the same terms and conditions (or on terms and conditions less burdensome to the tenant) as provided in the lease or other rental agreement in effect on September 1, 1944. Where such accommodations are first rented after September 1, 1944, no security deposit shall be demanded, received, or retained.

(5) *Deposits to secure the return of certain movable articles.* Notwithstanding the preceding provisions of this paragraph, any landlord may petition for an order authorizing the demand and receipt of a deposit to secure the return of movable articles. If the landlord shows that he has a special need therefor, the Expediter may enter an order authorizing a security deposit, not in excess of ten dollars to secure the return of the movable articles specified in the order.

(6) *Deposits based on prior rental practices.* Notwithstanding the preceding provisions of this paragraph, any landlord may demand, receive, and retain, in the case of any rental agreement entered into on or after April 1, 1948, a security deposit, if said deposit does not exceed the rent for one month in addition to the otherwise authorized collection of rent in advance, if the demand, collection or retention of such a security deposit was an accepted rental practice, prior to January 30, 1942, in the area in which the premises are located, or was customarily required before that date by the same landlord in the renting of the particular controlled rooms involved, and if the tenant is allowed, under the terms of the rental agreement, to occupy the premises for the period covered by the security deposit without further payment of rent. Each area rent director shall determine the rental practice or practices, prior to January 30, 1942, with reference to such security deposits in the particular area or any portion thereof.

§ 825.103 *Minimum space, services, furniture, furnishings, and equipment.* Every landlord shall, as a minimum, provide with controlled rooms the same living space and the same essential services, furniture, furnishings and equipment as were provided on the date determining the maximum rent, and as to other services, furniture, furnishings and equipment not substantially less than those provided on the date determining the maximum rent, plus or minus any increases or decreases made pursuant to § 825.105 (a) (3) or (b) or the comparable provisions of the rent regulations issued pursuant to the Emergency Price Control Act of 1942, as amended.

§ 825.104 *Maximum rents.* This section establishes separate maximum rents for different terms of occupancy (daily, weekly or monthly) and numbers of occupants of a particular room. Maximum rents for rooms in a rooming house and for controlled rooms in hotels and other establishments (unless and until changed by the Expediter as provided in § 825.105) shall be:

(a) *Maximum rents in effect on June 30, 1947.* Except as otherwise provided in this section, the maximum rents for any room subject to §§ 825.101 to 825.112 shall be the maximum rents which were in effect on June 30, 1947, as established under the Emergency Price Control Act of 1942, as amended, and the applicable rent regulation issued thereunder, plus or minus adjustments under § 825.105.

(b) *Maximum rents in statutory lease cases.* (1) For controlled rooms concerning which a statutory lease is in effect the maximum rent, until such lease is terminated or expires, shall be the rent set forth in such lease.

(2) For controlled rooms concerning which a statutory lease has heretofore terminated or expired or hereafter terminates or expires, the maximum rent shall be the rent set forth in such lease, plus or minus adjustments under § 825.105: *Provided, however,* That if immediately prior to the execution of any such statutory lease alternate maximum rents were in effect for the housing ac-

commodations covered by such lease, the maximum rent for each alternative not referred to in the lease shall be determined as if it had been included in such lease: *And provided further,* That if such housing accommodations are in a defense-rental area in which a general increase in maximum rents has been or is hereafter granted, the maximum rent shall be such lease rent plus or minus adjustments under § 825.105, or the maximum rent in the absence of a lease, whichever is higher.

*Reporting requirements.* A landlord shall file a report in the Area Rent Office, on a form provided by the Expediter, of any termination of a statutory lease prior to the expiration date of the lease, unless such report was filed prior to April 1, 1949. Such report shall be filed within fifteen days after such termination or fifteen days after April 1, 1949, whichever is later.

For purposes of this paragraph, the term "statutory lease" means a lease as described in section 204 (b) (2) or 204 (b) (3) of the Housing and Rent Act of 1947, as amended, and § 825.101 (b) (2) (v), as they read prior to April 1, 1949.

(c) *Maximum rents established on or after July 1, 1947.* For a room subject to §§ 825.101 to 825.112, first rented or offered for rent on or after July 1, 1947, the rent for each term or number of occupants for which it is first offered for rent; if such room is thereafter offered for rent for other terms or numbers of occupants, the rents for which it is first offered for such other terms and numbers of occupants. The landlord shall file a registration statement within 10 days after any maximum rent is established under this section as provided in § 825.107, except that in the case of controlled rooms (other than rooms in hotels to which paragraph (h) of this section applies) which were not included as controlled rooms on March 31, 1949, such registration statement shall be filed by the end of such 10 days period, or by May 15, 1949, whichever is later. The Expediter may order a decrease in the maximum rent as provided in § 825.105 (c).

(d) *First rents for terms and number of occupants not covered by (a).* For a room having a maximum rent in effect on June 30, 1947, rented for a particular term or number of occupants for which no maximum rent is established under paragraph (a) of this section, the first rent for the room on or after July 1, 1947, for that term and number of occupants, but not more than the maximum rent for similar rooms for the same term and number of occupants in the same establishment. The Expediter may order a decrease in the maximum rent as provided in section 5 (c).

(e) *Meals with room.* For a room with which meals were provided during the thirty-day period determining the maximum rent without separate charge therefor, the rent apportioned by the landlord from the total charge for the room and meals. The landlord's apportionment shall be fair and reasonable and shall be reported in the registration statement for such room. The Expediter at any time on his own initiative or on application of the tenant may by order



decrease the maximum rent established by such apportionment, if he finds that the apportionment was unfair or unreasonable.

Every landlord who provides meals with accommodations shall make separate charges for the two. No landlord shall require the taking of meals as a condition of renting any room unless the room was rented or offered for rent on that basis on the maximum rent date.

(f) Where rooms on June 30, 1947, are rented to either Army or Navy personnel, including civilian employees of the War and Navy Departments for which the rent is fixed by the national rent schedule of the War and Navy Departments, and on or after July 1, 1947, the rents on such rooms cease to be governed by the national rent schedule of the War or Navy Departments, the maximum rents shall be those which would have been applicable under the appropriate subsection of section 4 of the "Hotel Regulation," or shall be established under paragraph (c) of this section.

(g) *Rent fixed by order of Expediter.* For a room for a particular term or number of occupants for which no maximum rent has been established under any other provision of §§ 825.101 to 825.112, the rent fixed by order of the Expediter as provided in this paragraph.

The Expediter at any time on his own initiative or on petition of the landlord may enter an order fixing the maximum rent and specifying the minimum services for a room for a particular term or number of occupants for which no maximum rent has been established prior to issuance of the order under any other provision of §§ 825.101 to 825.112. Such maximum rent shall be fixed on the basis of the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

(h) *Controlled hotel rooms in cities of 2,500,000 population or more.* (1) For rooms in hotels (as defined in § 825.101 (b) (2) (i) (b)) in cities of 2,500,000 population or more according to the 1940 decennial census, which were controlled rooms on March 31, 1949, the maximum rents shall be the maximum rents in effect for such rooms on that date, plus or minus adjustments under § 825.125.

(2) For rooms in such hotels which were not included as controlled rooms on March 31, 1949, the maximum rent, subject to adjustment under § 825.125, shall be the rent in effect for such rooms on March 1, 1949, determined as follows:

(i) For rooms rented on March 1, 1949, for a particular term of occupancy without reference to the number of occupants, the rent charged on that date shall be the maximum rent for that term of occupancy for any number of occupants. If on that date the hotel had established rates for other terms of occupancy for the same room, such rates shall be the maximum rents for such terms of occupancy.

(ii) For rooms rented on March 1, 1949, for a particular term of occupancy at a rent based on a specific number of occupants, the rent charged on that date shall be the maximum rent for that term of occupancy for that number of occu-

pants. If on that date the hotel had established rates for the same room for other terms of occupancy and/or other numbers of occupants, such rates shall be the maximum rents for such terms of occupancy and numbers of occupants.

(3) On and after June 29, 1949, in the case of any hotel accommodations described in subparagraph (1) or (2) of this paragraph, the maximum rent and services for a particular term of occupancy shall apply, if the tenant so requests, after the tenant has been in continuous occupancy in the hotel for that period of time.

§ 825.105 *Adjustments and other determinations.* In the circumstances enumerated in this section, the Expediter may issue an order changing the maximum rents otherwise allowable or the minimum space, services, furniture, furnishings or equipment required, except in cases where the maximum rent is established under § 825.104 (b) or where an order increasing or decreasing the maximum rent on the same facts and grounds was entered under the "Hotel Regulation."

This section sets forth specific standards for the adjustment of maximum rents. In applying these standards and entering orders increasing or decreasing maximum rents, the Expediter shall give full consideration to the correction of inequities in maximum rents and the purposes and provisions of the Housing and Rent Act of 1947, as amended.

In the circumstances enumerated in this section, the Expediter may issue an order changing the maximum rents otherwise allowable or the minimum space, services, furniture, furnishings or equipment required, except in cases where an order increasing or decreasing the maximum rent on the same facts and grounds was entered under the "Hotel Regulation" issued pursuant to the Emergency Price Control Act of 1942, as amended.

In making adjustments under this section, recommendations of local advisory boards shall be approved within 30 days if appropriately substantiated and in accordance with applicable law and regulations. If any recommendation cannot be acted upon within 30 days the board shall be notified in writing of the reasons therefor.

In those cases involving a major capital improvement, an increase or decrease in services, furniture, furnishings, or equipment, or a deterioration, the adjustment in the maximum rent shall be the amount the Expediter finds would have been on the maximum rent date the difference in the rental value of the housing accommodations by reason of such change: *Provided, however,* That no adjustment shall be ordered where it appears that the rent on the date or during the thirty-day period establishing the maximum rent was fixed in contemplation of and so as to reflect such change.

In all other cases except those under paragraphs (a) (7), (9), (10), (c) (4), (5), and (6) of this section, the adjustment shall be on the basis of the rent which the Expediter finds was generally prevailing in the defense-rental area for

comparable housing accommodations on the maximum rent date: *Provided,* That in cases under paragraph (a) (6) of this section, the adjustment may be on the basis of the rental agreement in force during the thirty-day period determining the maximum rent or the date establishing the maximum rent: *Provided, further,* That in cases under paragraphs (a) (3) and (c) (3) of this section involving an increase or decrease in living space, the adjustment shall be either the amount the Expediter finds would have been on the maximum rent date the difference in the rental value of the controlled rooms by reason of such change or on the basis of the rent which the Expediter finds was generally prevailing in the defense-rental area for comparable controlled rooms on the maximum rent date, whichever is higher: *And provided, further,* That in cases under paragraph (g) of this section the adjustment shall be in the amount necessary to correct the error.

In cases involving construction, appropriate allowance shall be made for general increases in costs of construction in the defense-rental area since 1939.

In cases under paragraphs (a) (7), (10), and (c) (4) of this section, the adjustment shall be on the basis of the rents which the Expediter finds were generally prevailing in the defense-rental area for comparable accommodations during the year ending on the maximum rent date.

In cases under paragraph (a) (3) of this section appropriate allowance shall be made for general increases in the costs of services, furniture, furnishings, or equipment in the defense-rental area since the maximum rent date.

In cases under paragraph (c) (5) of this section the adjustment shall be on the basis of the average rent during the period of occupancy of the lease or other rental agreement in effect on the date determining the maximum rent.

In all cases under paragraph (a) of this section the adjustment in the maximum rent shall be effective as of the date of the filing of the landlord's petition.

Any landlord who files a petition under this section for adjustment to increase the maximum rent otherwise allowable shall certify that he is maintaining all services required by §§ 825.101 to 825.112 and that he will continue to maintain such services so long as the adjustment in such maximum rent which may be granted continues in effect.

(a) *Grounds for increase of maximum rents.* Any landlord may file a petition for adjustment to increase the maximum rent otherwise allowable only on the ground that:

(1) *Major capital improvement since maximum rent period.* There has been, since the period determining the maximum rent for the room under the "Hotel Regulation" or the date or order determining the maximum rent for the room, under either the "Hotel Regulation" or §§ 825.101 to 825.112 a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance.



(2) *Change prior to maximum rent date.* There was, on or prior to the maximum rent date, a substantial change in the room by a major capital improvement as distinguished from ordinary repair, replacement and maintenance or a substantial increase in services, furniture, furnishings or equipment, and the rent during the thirty-day period ending on the maximum rent date was fixed by a lease or other rental agreement which was in force at the time of such change or increase.

(3) *Substantial increase in space, services, furniture, furnishings or equipment.* There has been a substantial increase in the services, furniture, furnishings or equipment provided with the room since the period determining the maximum rent for the room under the "Hotel Regulation" or the date or order determining the maximum rent for the room under either the "Hotel Regulation" or §§ 825.101 to 825.112, or a substantial increase in the living space since June 30, 1947.

(4) [Revoked.]

(5) [Revoked.]

(6) *Varying rents.* The maximum rent was established by a lease or other rental agreement which provided for a higher rent at other periods during the term of such lease or agreement.

(7) *Seasonal demand.* The maximum rent for the room is substantially lower than the rent at other times of year by reason of seasonal demand for such room. In such cases the Expediter's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(8) *Inequitable rents.* The maximum rent is substantially lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided, however,* That no adjustment shall be granted on or after May 3, 1949, under this subparagraph, with respect to housing accommodations regularly rented to employees of the landlord (so-called company housing).

(9) [Revoked as of April 1, 1949, by the following provision: "Paragraphs (a) (9) and (c) (6) of § 825.105, and the tenth and eleventh unnumbered paragraphs of § 825.105 (relating to the amount of adjustments under said paragraphs (a) (9) and (c) (6)) are revoked as of April 1, 1949: *Provided, however,* That this revocation shall not affect the validity of adjustment orders entered prior to May 3, 1949, under any of said paragraphs: *And provided further,* That if a petition for adjustment under said paragraph (a) (9) was filed prior to April 1, 1949, and no order on such petition had been entered by the Area Rent Director prior to May 3, 1949, an adjustment may be granted under said paragraph as it read immediately prior to May 3, 1949, in accordance with the provisions of § 825.105 (a) (11) (v)."]

(10) *Change from year-round to seasonal renting.* The accommodations are located in a resort community, are primarily adapted to occupancy on a seasonal basis, and the establishment of seasonal variations in the rent would not, in the opinion of the area rent director,

be inconsistent with the purposes of the act.

(11) *Housing accommodations not yielding fair net operating income—(i) Grounds.* The net operating income from the building is less than a fair net operating income: *Provided, however,* That no adjustment shall be granted under this subparagraph with respect to housing accommodations regularly rented to employees of the landlord (so-called company housing). A petition for adjustment under this subparagraph must be filed on Form D-106, provided by the Expediter, in accordance with instructions contained therein.

The net operating income from a building shall be considered to be less than a fair net operating income if such net operating income is less than 25 percent of the annual income in the case of a building containing less than five dwelling units, or is less than 20 percent in the case of a building containing five or more dwelling units.

(ii) *Amount of adjustment.* The adjustment under this subparagraph (11) shall be in such amount as is necessary to bring the net operating income from the building (expressed as a percentage of annual income) to the median net operating income of landlords generally. This median is 30 percent of annual income in the case of buildings containing less than five dwelling units, and 25 percent in the case of buildings containing five or more dwelling units.

(iii) *Successive petitions.* Where an adjustment is granted under this subparagraph and a subsequent petition is filed thereunder, the test year used in any such subsequent petition shall begin after the end of the test year used in the last previous petition: *Provided, however,* That the Expediter may waive this limitation where the building has been affected by a significant increase in operating expenses which applied to all or an important class of housing accommodations in the community (such as a significant increase in property taxes or a significant increase in contract wages).

(iv) *Definitions.* For purposes of this subparagraph, the term:

"Building" means any structure or group of structures containing housing accommodations, having common facilities and operated as a single business enterprise.

"Net operating income" means the amount by which annual income exceeds annual operating expenses.

"Annual income" means the legal monthly, weekly or other periodic rent for all units in the building (both residential and commercial) on the date the petition is filed, computed on an annual basis, together with any other income earned from the operation of the building during the test year: *Provided, however,* That any adjustments in maximum rents ordered after the date the petition is filed shall be taken into account: *And provided further,* That where a unit has seasonal, alternate or other varying rents, appropriate adjustment shall be made by the Expediter. In any case where an uncontrolled rental unit is vacant, or is occupied in whole or in part rent free, the full rental value shall be considered the legal rent.

"Annual operating expenses" means all real estate taxes and other unavoidable operating costs necessary to the operation and maintenance of the building, plus depreciation but excluding mortgage interest and amortization, properly allocated to the test year or projected on an annual basis in accordance with principles determined by the Expediter.

"Depreciation" means the amount shown for the building in the latest required Federal income tax return, but in no event more than 21 percent of the annual income for a building containing less than 5 dwelling units or 16 percent of the annual income for a building containing 5 or more dwelling units.

"Test year" means the most recent full calendar or fiscal year, or any 12 consecutive months ending not earlier than 90 days before the date the petition is filed.

(v) *Pending petitions under former subparagraph (9) of this paragraph.* (a) If a petition for adjustment under subparagraph (9) of this paragraph, as it read immediately prior to May 3, 1949, was filed on or after April 1, 1949, and no order on such petition had been entered by the Area Rent Director prior to May 3, 1949, no adjustment may be granted under said paragraph, but if the petitioner files such additional data as may be required for purposes of an adjustment under this subparagraph the case shall be processed under this subparagraph and any adjustment granted thereunder shall be effective as of the date of filing of the petition for adjustment under said subparagraph (9) of this paragraph.

(b) If a petition for adjustment under subparagraph (9) of this paragraph as it read immediately prior to May 3, 1949, was filed prior to April 1, 1949, and no order on such petition had been entered by the Area Rent Director prior to May 3, 1949, the case may be processed under said subparagraph as it read immediately prior to May 3, 1949 and any adjustment granted thereunder shall be effective as of the date of filing of such petition for adjustment: *Provided, however,* That if the petition contains virtually all the facts required for purposes of an adjustment under this subparagraph and such an adjustment would result in higher maximum rents than an adjustment under the paragraph under which the petition was originally filed, the case shall be processed under this subparagraph and any adjustment granted thereunder shall be effective as of April 1, 1949.

(12) *Ineffective statutory lease.* The landlord and tenant entered into a written lease for the housing accommodations which they in good faith intended to be a statutory lease as described in section 204 (b) (2) or 204 (b) (3) of the Housing and Rent Act of 1947, as amended, as it read prior to April 1, 1949, and the Rent Regulations issued thereunder, and the lease was ineffective to increase the maximum rent because of failure to meet all the requirements of said act and regulations: *Provided, however,* That the deficiency was of a minor or procedural nature or has been cured by actual performance, and that the



maximum rent had not been increased by a subsequent statutory lease.

In cases under this subparagraph, the adjustment shall be in the amount necessary to increase the maximum rent to the amount set forth in such lease, but not above the maximum amount authorized by the act and the regulations at the time of execution of the lease: *Provided, however*, That in making such adjustment the Expediter shall take into consideration all adjustments made since the execution of said lease.

(13) *Company housing accommodations.* The rooms are company housing accommodations, and at a time subsequent to the date determining the maximum rent the landlord and tenant agreed, as a result of a continuous process of bargaining on interrelated matters, upon a wage increase and a rent increase, and the wage increase agreed upon has been put into effect.

The adjustment under this subparagraph shall be on the basis of the rent so agreed upon by the landlord and tenant, but the adjusted maximum rent may not exceed the amount which the Expediter finds was generally prevailing in the defense-rental area for comparable non-company housing accommodations on the maximum rent date.

For purposes of this subparagraph, the term "company housing accommodations" means rooms which are regularly rented to employees of the landlord.

(b) *Decrease in space, minimum services, furniture, furnishings or equipment—(1) Requirements for petition and order, or report.* The landlord shall, until the accommodations become vacant, maintain the minimum services, furniture, furnishings, equipment and living space as required under § 825.103, unless and until he has filed a petition to decrease the services, furniture, furnishings, equipment or living space and an order permitting a decrease has been entered thereon. When the accommodations become vacant, the landlord may on renting to a new tenant decrease the services, furniture, furnishings, equipment or living space below the minimum; within 10 days after so renting the landlord shall file a written report with the area rent director showing such decrease.

(2) *Adjustment in maximum rent for decreases.* The order on any petition under this paragraph may require an appropriate adjustment in the maximum rent; and any maximum rent for which a report is required by this paragraph may be decreased in accordance with the provisions of paragraph (c) (3) of this section.

If the landlord fails to file the report required by this paragraph within the time specified, or decreases the services, furniture, furnishings, equipment or living space without an order authorizing such decrease where such order is required, the rent received by the landlord for any rental period commencing on or after such decrease or July 1, 1947, whichever is the later, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order decreasing the maximum rent on account of such decrease in services, furniture, furnishings, equipment or living space. Such

amount shall be refunded to the tenant within 30 days after the date of issuance of the order unless the refund is stayed in accordance with the provisions of Revised Rent Procedural Regulation 1 or Rent Procedural Regulation 2. If the Expediter finds that the landlord was not at fault in failing to comply with this paragraph, the order may relieve the landlord of the duty to refund.

(c) *Grounds for decrease of maximum rent.* The Expediter at any time, on his own initiative or on application of the tenant, may order a decrease of the maximum rent otherwise allowable, only on the grounds that:

(1) *Rent higher than rent generally prevailing.* The maximum rent for the room is higher than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

Where the maximum rent for said room was originally established under paragraph (b) or (c) of section 4 of the Rent Regulation for Transient Hotels, Residential Hotels, Rooming Houses and Motor Courts, issued pursuant to the Emergency Price Control Act of 1942, as amended, or where the maximum rent is established under paragraph (c) or (d) of § 825.104, and the landlord failed, due to his fault, to file a timely proper registration statement, the rent received for any rental period commencing on or after July 1, 1948, shall be received subject to refund to the tenant of any amount in excess of the maximum rent which may later be fixed by an order issued under this paragraph. Such amount shall be refunded to the tenant within 30 days after the date of the issuance of the order, unless the refund is stayed in accordance with the provisions of Revised Rent Procedural Regulation 1 or Rent Procedural Regulation 2. The landlord shall have the duty to refund only if the order under this section is issued in a proceeding commenced by the Expediter within 3 months after the date of filing of such registration statement.

(2) *Substantial deterioration.* There has been a substantial deterioration of the room other than ordinary wear and tear since the date or order establishing its maximum rent.

(3) *Decrease in space, services, furniture, furnishings or equipment.* There has been a decrease in the minimum services, furniture, furnishings or equipment required by § 825.103 since the date or order establishing the maximum rent or a substantial decrease in the living space since June 30, 1947.

(4) *Seasonal demand.* The maximum rent for the room is substantially higher than the rent at other times of year by reason of seasonal demand for such room. In such cases the Expediter's order may if he deems it advisable provide for different maximum rents for different periods of the calendar year.

(5) *Rent concession.* The rent on the date determining the maximum rent was established by a lease or other rental agreement for a period of occupancy of one or more years, which provided for a rent concession during such period of occupancy in the form of either a rent-free period or an abatement of rent.

(6) [Revoked as of April 1, 1949, by the revision set forth in paragraph (a) (9) of this section.]

(d) *Orders where facts are in dispute, in doubt, or not known.* If the maximum rent, or any other fact necessary to the determination of the maximum rent, or the living space, services, furniture, furnishings or equipment required to be provided with the accommodations, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Expediter at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the living space, services, furniture, furnishings, and equipment required to be provided with the accommodations which order shall be effective to establish the maximum rent from July 1, 1947, or the date of first renting after July 1, 1947, whichever is applicable. If the Expediter is unable to ascertain such fact, or facts, he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date and, where appropriate, may determine the living space, services, furniture, furnishings and equipment included in such rent.

(e) *Interim orders.* Where a petition is filed by a landlord on one of the grounds set out in paragraph (a) of this section, or a proceeding is initiated by the Expediter under paragraph (d) of this section, the Expediter may enter an interim order increasing or fixing the maximum rent until further order, subject to refund by the landlord to the tenant of any amount received in excess of the maximum rent established by final order in such proceeding. The receipt by the landlord of any rent authorized by such interim order shall constitute an agreement by the landlord with the tenant to refund to the tenant any amount received in excess of the maximum rent established by final order. The landlord shall make such refund either by repayment in cash or, where the tenant remains in occupancy after the effective date of the final order, by deduction from the next installment of rent, or both.

(f) *Government housing.* Where the maximum rent for any room constructed by the United States or any agency thereof, or by a State of the United States or any of its political subdivisions, or any agency of the State, or any of its political subdivisions, and owned by any of the foregoing, is below the rent generally prevailing in the defense-rental area for comparable accommodations on the maximum rent date, the owner of such room may with the consent of the Expediter increase the maximum rent to such generally prevailing rent by re-registering such accommodations at such generally prevailing rent.

For the purpose of this section, any corporation formed under the laws of a State shall not be considered an agency of the United States.

(g) *Adjustment to correct determinations of maximum rent.* The Expediter at any time on petition of the landlord or on his own initiative may enter an



order adjusting the maximum rent where the maximum rent in effect on June 30, 1947, was established by an order issued under the rent regulations promulgated pursuant to the Emergency Price Control Act of 1942, as amended, and such order was based upon an erroneous determination of fact or law.

§ 825.106 *Removal of tenant*—(a) *Restrictions on removal of tenant.* So long as the tenant continues to pay the rent to which the landlord is entitled, no tenant shall be removed from any housing accommodations by action to evict or to recover possession, by exclusion from possession, or otherwise, nor shall any person attempt such removal or exclusion from possession, notwithstanding that such tenant has no lease or that his lease or other rental agreement has expired or otherwise terminated, and regardless of any contract, lease, agreement or obligation heretofore or hereafter entered into which provides for surrender of possession, or for entry of judgment upon the tenant's confession for breach of the covenants thereof, or which otherwise provides contrary hereto, except on one or more of the grounds specified in this paragraph, or unless the landlord has obtained a certificate in accordance with paragraph (c) of this section: *Provided, however,* That no provision of this section shall be construed to authorize the removal of a tenant unless such removal is authorized under local law.

(1) *Violating substantial obligation of tenancy.* The tenant is violating a substantial obligation of his tenancy, other than an obligation to pay rent or an obligation to surrender possession of the housing accommodations, and has continued or failed to cure such violation after a written notice by the landlord that the violation cease.

(2) *Nuisance or illegal or immoral use.* Under the local law, the tenant (i) is committing or permitting a nuisance in the housing accommodations or (ii) is using or permitting a use of such housing accommodations for an immoral or illegal purpose.

(3) *Tenant's refusal of access to landlord.* The tenant has unreasonably refused the landlord access to the housing accommodations for the purpose of inspection or of showing the accommodations to a prospective purchaser, mortgagee, or prospective mortgagee, or other person having a legitimate interest therein: *Provided, however,* That such refusal shall not be ground for removal or eviction if such inspection or showing of the accommodations is contrary to the provisions of the tenant's lease or other rental agreement.

(4) *Company housing.* The housing accommodations are part of a company housing development in which occupancy has customarily been limited to employees of the landlord, and the tenant is no longer his employee.

(b) *Notices required.* (1) No tenant shall be removed or evicted from housing accommodations by court process or otherwise and no action or proceeding shall be commenced for such purpose upon any of the grounds permitted in paragraph (a) of this section unless and until the landlord shall have given writ-

ten notice to the Area Rent Office and to the tenant as provided in this subparagraph.

Every such notice to a tenant to vacate or surrender possession of housing accommodations shall state the ground under this section upon which the landlord relies for removal or eviction of the tenant, the facts necessary to establish the existence of such ground, and the date when the tenant is required to surrender possession. Where the ground for removal or eviction of a tenant is nonpayment of rent, such notice shall include a statement of the rent due and the rental period or periods for which such rent is due. A written copy of every notice required by this subparagraph shall be filed with the Area Rent Office within 24 hours after such notice is given to the tenant.

Every such notice shall be given to the tenant at least 10 days prior to the date specified for the surrender of possession and to the commencement of any action for removal or eviction, except where the ground specified in the notice for removal or eviction is non-payment of rent, in which case such notice shall be given at least three days prior to such date.

If judgment for possession is sought by virtue of a confession of judgment or by virtue of a warrant of attorney authorizing confession of such judgment against the tenant, the date of commencement of the action as referred to in this section shall be deemed to be the date of the filing in court of the first papers in the proceedings for the entry of such judgment.

(2) At the time of commencing any action to remove or evict a tenant, on any ground stated in paragraph (a) of this section the landlord shall give written notice thereof to the Area Rent Office, stating the title of the case, the number of the case where that is possible, the court in which it is filed, the name and address of the tenant, and the ground under said paragraph on which removal or eviction is sought.

(c) *Eviction certificates.* No tenant shall be removed or evicted on grounds other than those stated in paragraph (a) of this section unless on petition of the landlord the Housing Expediter certifies that the landlord may pursue his remedies in accordance with the requirements of local law. The Expediter shall so certify if he finds that removals or evictions of the character proposed are not inconsistent with the purposes of the act or §§ 825.101 to 825.112 and would not be likely to result in the circumvention or evasion thereof.

The certificate shall authorize the pursuit of local remedies at the expiration of three months after the date of the filing of the petition. In any case where the Expediter finds that by reason of exceptional circumstances extreme hardship would result to the landlord, he may waive all or part of the waiting period.

(d) *Change of intention.* Any certificate issued under paragraph (c) of this section shall not be used in connection with any action to remove or evict a tenant unless such removal or eviction

is sought for the purpose specified in the certificate.

In the event that the landlord's intentions or circumstances so change that the premises, possession of which is sought, will not be used for the purpose specified in the certificate, the certificate shall thereupon be null and void. The landlord shall immediately notify the Area Rent Director in writing and surrender the certificate for cancellation.

(e) *Local law.* No provision of this section shall be construed to prohibit a landlord who has obtained a certificate under paragraph (c) of this section from serving, prior to the expiration of the waiting period specified in said certificate, such notice or notices as may be required by the local law, provided that such notice or notices do not demand surrender of possession until after expiration of said waiting period.

(f) *Exceptions.* The provisions of this section do not apply to:

(1) *Subtenants.* A subtenant or other person who occupies or occupied under a rental agreement with the tenant, where removal or eviction of the subtenant or other such occupant is sought by the landlord of the tenant, unless the rental agreement between the landlord and tenant contemplated the subletting by the tenant of the entire accommodations or substantially all of the individual units therein, or unless under the local law there is a tenancy relationship between the landlord and the subtenant or other such occupant.

(2) *Daily tenants.* A tenant occupying the housing accommodations on a daily basis, except that the provisions of this section do apply to any such tenant who has occupied the housing accommodations for a continuous period of thirty days or more.

(3) *Public housing.* Notwithstanding any other provisions of this section, the United States or any State or local public agency may maintain an action or proceeding to recover possession of any housing accommodations operated by it where such action or proceeding is authorized by the statute or regulations under which such accommodations are administered.

(g) *Pending cases.* (1) In any case where a landlord has given a tenant a written notice, prior to April 1, 1949, in accordance with section 209 (c) of the Housing and Rent Act of 1947, as amended, as it read prior to April 1, 1949, or where no notice was required by that section of said act and a court proceeding for removal or eviction is pending on April 1, 1949, the landlord need not comply with the notice requirements under paragraph (b) of this section provided that the ground for removal or eviction relied upon in such cases is a ground for removal or eviction under paragraph (a) of this section. If in any such case the ground for removal or eviction is not a ground for removal or eviction under paragraph (a) of this section and a certificate is applied for and issued in accordance with paragraph (c) of this section the Housing Expediter may reduce the waiting period, taking into consideration the time elapsed since notice was given.



(2) The provisions of this section shall not apply to any case in which judgment was entered prior to April 1, 1949 by a court of competent jurisdiction for the eviction or removal of a tenant from housing accommodations: *Provided, however*, That the provisions of this section shall apply unless said judgment was obtained in accordance with the provisions of the Housing and Rent Act of 1947, as amended by the Housing and Rent Act of 1948.

#### § 825.107 Registration and records—

(a) *Registration statements*—(1) *Registration*. Every landlord of a room, subject to §§ 825.101 to 825.112, rented or offered for rent shall file a written statement on the form provided therefor, containing such information as the Expediter shall require, to be known as a registration statement, unless a registration statement was heretofore filed in accordance with the provisions of section 7 of the "Hotel Regulation." For rooms rented on or before June 30, 1947, such registration statement shall be filed on or before July 10, 1947. Any maximum rent established after the "effective date of regulation" under paragraphs (b) or (c) of section 4 of the "Hotel Regulation" which has not been reported on the first registration statement shall be reported on or before July 10, 1947, either by amending a registration statement previously filed, or by filing a new registration statement. Any maximum rent established on or after July 1, 1947, which has not been reported on the first registration statement shall be reported within ten days after such rent is established either by amending a registration statement previously filed or by filing a new registration statement.

(2) *Notice of change in identity of landlord*. Where, since the filing of a registration statement, there has been a change in the identity of the landlord, by transfer of title or otherwise, the new landlord shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity, within fifteen days after the change or July 1, 1947, whichever is the later.

(3) *Notice to landlord*. Any notice, order or other process or paper directed to the person named on the registration statement as landlord at the address given thereon, or where a notice of change in identity has been filed, to the person named as landlord and at the address given in the most recent such notice, shall, under the circumstances prescribed in Revised Rent Procedural Regulation 1 or Rent Procedural Regulation 2, constitute notice to the person who is then the landlord.

(4) *Registration where maximum rent formerly determined under section 4 (d) of the "Hotel Regulation"*. The provisions of this section shall be applicable to any housing accommodations whose maximum rent was determined under section 4 (d) of the "Hotel Regulation" on its sale by the owning agency; and on or before July 10, 1947, or within ten days after the sale of such accommodations, whichever is the later, the new landlord shall file registration statements as provided in subparagraph (1) of this paragraph: *Provided, however*,

That if the housing accommodations are sold to the United States or a State of the United States or any of its political subdivisions, or any agency of the foregoing, the provision in the second paragraph of (b) of this section shall continue to be applicable.

(b) *Posting maximum rents*. On or before July 10, 1947, or within ten days after a maximum rent is established under paragraph (b), (c), (d), or (g) of § 825.104, whichever is the later, every landlord shall post and thereafter keep posted conspicuously in each room rented or offered for rent a card or sign plainly stating the maximum rent or rents for all terms of occupancy and for all numbers of occupants for which the room is rented or offered for rent. Where the taking of meals by the tenant or prospective tenant is a condition of renting such room, the card or sign shall so state. Should the maximum rent or rents for the room be changed by order of the Expediter, the landlord within ten days after the effective date of the order shall alter the card or sign so that it states the changed rent or rents.

The foregoing provisions of this paragraph shall not apply to rooms whose maximum rents were established under section 4 (d) of the "Hotel Regulation." The owner of such rooms shall post a copy of the registration statement in a place where it will be available for inspection by the tenants of such rooms.

The provisions of this paragraph shall not apply to rooms in hotels in cities of 2,500,000 population or more according to the 1940 decennial census.

(c) *Receipt for amount paid*. No payment of rent need be made unless the landlord tenders a receipt for the amount to be paid.

(d) [Revoked.]

(e) *Records*—(1) *Existing records*. Every landlord of a room subject to this regulation rented or offered for rent shall preserve, and make available for examination by the Expediter, all his existing records showing or relating to (i) the rent for each term and number of occupants for such room rented or regularly offered for rent during the thirty-day period determining the maximum rent for such room, (ii) the rent on any date determining a maximum rent for such room for a particular term and number of occupants under section 4 (c) of the "Hotel Regulation", (iii) rooms rented and offered for rent on a weekly and monthly basis during June 1943.

(2) *Record keeping*. Every landlord of an establishment containing more than 20 rooms subject to §§ 825.101 to 825.112, rented or offered for rent, shall keep, preserve, and make available for examination by the Expediter, records showing the rents received for each room, the particular term and number of occupants for which such rents were charged, and the name and permanent address of each occupant; every other landlord shall keep, preserve, and make available for examination by the Expediter, records of the same kind as he has customarily kept relating to the rents received for rooms.

§ 825.108 *Evaston*—(a) *General*. The maximum rents and other requirements

provided in §§ 825.101 to 825.112 shall not be evaded, either directly or indirectly in connection with the renting or leasing or the transfer of a lease of a room by requiring the tenant to pay or obligate himself for membership or other fees, or by modification of the practices relating to payment of commissions or other charges, or by modification of the services furnished with the room, or by tying agreement, or otherwise.

(b) *Purchase of property as condition of renting*. Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting rooms unless the prior written consent of the Expediter is obtained.

§ 825.109 *Enforcement*. Persons violating any provisions of §§ 825.101 to 825.112 are subject to civil enforcement actions, and suits for treble damages as provided for by the act.

(b) Any person who rents or offers for rent, or acts as a broker or agent for the rental of, any controlled housing accommodations or housing accommodations which the Expediter has reason to believe may be controlled housing accommodations shall, as the Expediter may from time to time require, furnish information under oath or affirmation or otherwise, permit inspection and copying of records and other documents and permit inspection of any such housing accommodations. Any person who rents or offers for rent, or acts as a broker or agent for the rental of, any controlled housing accommodations shall, as the Expediter may from time to time require, make and keep records and other documents and make reports.

§ 825.110 *Procedure*. All registration statements, reports and notices provided for by §§ 825.101 to 825.112 shall be filed with the area rent office. All landlord's petitions and tenant's applications shall be filed with such office in accordance with Rent Procedural Regulation 2 (§§ 840.101 to 840.153 of this chapter).

§ 825.111 [Revoked.]

§ 825.112 *Adoption of orders*. All certificates and orders issued pursuant to sections 1 (b) (5), 1 (b) (6), 2 (b) (2), 2 (c) (3) and 2 (c) (5) of the "Hotel Regulation" which were in effect on June 30, 1947, shall be deemed to continue in effect under §§ 825.101 to 825.112 unless and until revoked or modified by the Expediter.

*Effective date*. This Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments for the New York City defense-rental area shall become effective July 1, 1947. [Originally issued June 30, 1947.]

Issued August 1, 1949.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 49-8750; Filed, Aug. 18, 1949; 8:45 a. m.]



**TITLE 26—INTERNAL REVENUE****Chapter I—Bureau of Internal Revenue, Department of the Treasury****Subchapter A—Income and Excess Profits Taxes****PART 2—TAX ON UNJUST ENRICHMENT UNDER THE REVENUE ACT OF 1936**

EDITORIAL NOTE: Part 2 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 16—EXCESS PROFITS ON ARMY CONTRACTS FOR AIRCRAFT**

EDITORIAL NOTE: Section 16.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 17—EXCESS PROFITS ON NAVY CONTRACTS**

EDITORIAL NOTE: Section 17.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 18—REFUNDS UNDER SECTION 203 OF THE PUBLIC SALARY TAX ACT OF 1939**

EDITORIAL NOTE: Part 18 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 20—MISCELLANEOUS REGULATIONS UNDER THE REVENUE ACT OF 1939**

EDITORIAL NOTE: Part 20 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 21—DECLARED VALUE EXCESS-PROFITS TAX**

EDITORIAL NOTE: Part 21 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941**

EDITORIAL NOTE: 1. Subpart D, §§ 29.450-1 to 29.475-1, has been excluded from the Code of Federal Regulations, 1949 Edition.

2. The text under Subpart H has been designated § 29.6000.

**PART 32—ESTABLISHMENT OF CONSTRUCTION RESERVE FUNDS**

EDITORIAL NOTE: Section 32.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 33—CONSOLIDATED EXCESS PROFIT TAX RETURNS**

EDITORIAL NOTE: Part 33 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941**

EDITORIAL NOTE: Part 35 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 36—RELIEF FROM DOUBLE PAYMENTS IN 1943**

EDITORIAL NOTE: Part 36 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 37—CARRY-OVERS OF RAILROADS**

EDITORIAL NOTE: Section 37.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**Subchapter B—Estate and Gift Taxes****PART 86—GIFT TAX UNDER CHAPTER 4 OF INTERNAL REVENUE CODE, AS AMENDED**

EDITORIAL NOTE: Sections 86.0 and 86.75 have been excluded from the Code of Federal Regulations, 1949 Edition.

**Subchapter C—Miscellaneous Excise Taxes****PART 101—TAXES ON ADMISSIONS, DUES, AND INITIATION FEES**

EDITORIAL NOTE: Section 101.45 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 110—TAX ON CONTRACTS OF SALE OF COTTON FOR FUTURE DELIVERY**

EDITORIAL NOTE: Sections 110.0 and 110.24 have been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 112—TAX ON TRANSFERS OF INTERESTS IN SILVER BULLION**

EDITORIAL NOTE: Sections 112.32, 112.120 and 112.127 have been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 113—DOCUMENTARY STAMP TAXES**

EDITORIAL NOTE: Subpart H, §§ 113.90 to 113.96, and § 113.162 have been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 130—TAXES ON SAFE DEPOSIT BOXES AND ON CERTAIN TRANSPORTATION AND COMMUNICATIONS SERVICES**

EDITORIAL NOTE: Sections 130.65 and 130.80 have been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 137—CAPITAL STOCK TAX**

EDITORIAL NOTE: Part 137 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 140—TAXES ON TOBACCO, SNUFF, CIGARS, CIGARETTES, CIGARETTE PAPERS AND TUBES, AND PURCHASE AND SALE OF LEAF TOBACCO**

EDITORIAL NOTE: 1. Section 140.1 has been excluded from the Code of Federal Regulations, 1949 Edition.

2. Subparts O, P and Q (§§ 140.194 to 140.206) have been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 143—TAX WITH RESPECT TO THE TRANSPORTATION OF PROPERTY**

EDITORIAL NOTE: Section 143.63 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 150—MANUFACTURE OF OPIUM FOR SMOKING PURPOSES UNDER THE ACT OF JANUARY 17, 1914**

EDITORIAL NOTE: Section 150.16 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 151—REGULATIONS UNDER THE HARRISON NARCOTIC LAW, AS AMENDED**

EDITORIAL NOTE: Sections 151.109 to 151.113 and 151.205 have been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 152—REGULATIONS UNDER THE MARIHUANA TAX ACT OF 1937**

EDITORIAL NOTE: Section 152.104 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 153—SEIZURES INVOLVING CONTRABAND ARTICLES COVERED BY SECTION 1 (b) (1) OF THE ACT OF AUGUST 9, 1939**

EDITORIAL NOTE: Section 153.11 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 160—TAXES ON CIRCULATION OF BANKS AND BANKERS AND ON NOTES PAID OUT**

EDITORIAL NOTE: Part 135 has been redesignated Part 160.

**PART 300—TAX ON WHITE PHOSPHORUS MATCHES**

EDITORIAL NOTE: The heading of Part 300 has been changed to read as set forth above. Sections 300.1 and 300.26 have been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 302—EXCISE TAX ON SALE OF PISTOLS AND REVOLVERS**

EDITORIAL NOTE: Section 302.24 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 305—TAX ON PLAYING CARDS**

EDITORIAL NOTE: Sections 305.1, 305.2 and 305.23 have been excluded from the Code of Federal Regulations, 1949 Edition. Sections 305.3 and 305.4 have been redesignated §§ 305.1 and 305.2, respectively.

**PART 306—PROCESSING TAX ON CERTAIN OILS**

EDITORIAL NOTE: Section 306.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 310—TAXES ON OLEOMARGARINE, ADULTERATED BUTTER, AND PROCESS OR RENOVATED BUTTER**

EDITORIAL NOTE: Subpart A (§ 310.0), Subpart K (§ 310.118) and § 310.135 have been excluded from the Code of Federal Regulations, 1949 Edition. Subparts B to J and Subpart L have been redesignated Subparts A to I and Subpart J, respectively.

**PART 312—TAX ON THE MANUFACTURE OF MANUFACTURED SUGAR**

EDITORIAL NOTE: The heading to Part 312 has been changed to read as set forth above. Subpart A (§ 312.0) has been excluded from the Code of Federal Regulations, 1949 Edition and Subparts B to F have been redesignated Subparts A to E, respectively.



**PART 314—TAXES ON GASOLINE, LUBRICATING OIL, AND MATCHES**

EDITORIAL NOTE: Subpart A (§ 314.0) has been excluded from the Code of Federal Regulations, 1949 Edition and Subparts B to G have been redesignated Subparts A to F.

**PART 315—LICENSING UNDER THE FEDERAL FIREARMS ACT OF MANUFACTURERS OF, AND DEALERS IN, FIREARMS OR AMMUNITION**

EDITORIAL NOTE: Subpart A (§ 315.0) has been excluded from the Code of Federal Regulations, 1949 Edition and Subparts B to F have been redesignated A to E, respectively.

**PART 316—EXCISE TAXES ON SALES BY THE MANUFACTURER**

EDITORIAL NOTE: Subpart A (§ 316.0) and § 316.206 have been excluded from the Code of Federal Regulations, 1949 Edition. Subparts B to M have been redesignated Subparts A to L, respectively.

**PART 317—IMPOSED BY THE ACT APPROVED MARCH 1, 1893, AS AMENDED, WITH RESPECT TO CERTAIN HYDRAULIC MINING**

EDITORIAL NOTE: Section 317.1 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 319—TAXES RELATING TO MACHINE GUNS AND CERTAIN OTHER FIREARMS**

EDITORIAL NOTE: Subpart A (§ 319.0), §§ 319.2, 319.20 and 319.37 have been excluded from the Code of Federal Regulations, 1949 Edition. Subparts B to G have been redesignated Subparts A to F, respectively.

**PART 320—RETAILERS' EXCISE TAX**

EDITORIAL NOTE: Subpart A (§ 320.0) has been excluded from the Code of Federal Regulations, 1949 Edition. Subparts B to H have been redesignated Subparts A to G, respectively.

**PART 321—FLOOR STOCKS TAXES ON TIRES, INNER TUBES AND MATCHES**

EDITORIAL NOTE: Part 321 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 322—REGULATIONS RELATING TO TAX ON USE OF MOTOR VEHICLES AND BOATS**

EDITORIAL NOTE: Part 322 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 323—SPECIAL TAXES WITH RESPECT TO COIN-OPERATED AMUSEMENT AND GAMING DEVICES, BOWLING ALLEYS, BILLIARD TABLES AND POOL TABLES**

EDITORIAL NOTE: Subpart A (§ 323.0) has been excluded from the Code of Federal Regulations, 1949 Edition. Subparts B to E have been redesignated Subparts A to D, respectively. Section 323.10 has been redesignated § 323.1.

**Subchapter D—Employment Taxes****PART 402—EMPLOYEES' TAX AND THE EMPLOYERS' TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT**

EDITORIAL NOTE: Section 402.805 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 403—EXCISE TAX ON EMPLOYERS UNDER THE FEDERAL UNEMPLOYMENT TAX ACT**

EDITORIAL NOTE: Section 403.606 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 405—COLLECTION OF INCOME TAX AT SOURCE ON OR AFTER JANUARY 1, 1945**

EDITORIAL NOTE: Sections 405.0 and 405.208 have been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 410—EMPLOYERS' TAX, EMPLOYEES' TAX, AND EMPLOYEE REPRESENTATIVES' TAX UNDER THE CARRIERS TAXING ACT OF 1937 AND SUBCHAPTER B OF CHAPTER 9 OF THE INTERNAL REVENUE CODE**

EDITORIAL NOTE: Section 410.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**Subchapter E—Administrative Provisions Common to Various Taxes****PART 452—TAXES UNDER THE TRADING WITH THE ENEMY ACT**

EDITORIAL NOTE: The heading of Part 452 has been changed to read as set forth above. The text of former Part 452 has been redesignated as Subpart A of new Part 452 and has been excluded from the Code of Federal Regulations, 1949 Edition. Part 452a has been redesignated as "Subpart B—Property Vested in the Attorney General on and after December 18, 1941" of Part 452. Former § 452a.20 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 453—RELEASE OF FEDERAL TAX LIENS**

EDITORIAL NOTE: Section 453.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 454—RESALE OF PERSONAL PROPERTY OBTAINED BY GOVERNMENT UNDER DISTRAINT PROCEEDINGS**

EDITORIAL NOTE: Section 454.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 456—CLAIMS FOR REFUND OF TAXES PAID UNDER THE AGRICULTURAL ADJUSTMENT ACT, AS AMENDED.**

EDITORIAL NOTE: Part 456 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 457—RE-STAMPING CASES**

EDITORIAL NOTE: Section 457.22 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 458—INSPECTION OF RETURNS**

EDITORIAL NOTE: Section 458.39 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 464—ASSESSMENT AND COLLECTION OF TAXES OF INSOLVENT BANKS AND TRUST COMPANIES**

EDITORIAL NOTE: Section 464.14 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 468—SEIZURES OF VESSELS, VEHICLES, AND AIRCRAFT IN CONNECTION WITH CONTRABAND FIREARMS COVERED BY SECTION 1 (b) (2), ACT OF AUGUST 9, 1939**

EDITORIAL NOTE: Section 468.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 473—PERIOD OF LIMITATIONS IN CASE OF RELATED TAXES UNDER CHAPTER 1 AND CHAPTER 2 OF THE INTERNAL REVENUE CODE**

EDITORIAL NOTE: Section 473.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**PART 474—EXTENSIONS OF TIME FOR PAYMENT OF TAXES BY CORPORATIONS EXPECTING CARRY-BACKS, AND TENTATIVE CARRY-BACK ADJUSTMENT**

EDITORIAL NOTE: Section 474.0 has been excluded from the Code of Federal Regulations, 1949 Edition.

**Subchapter F—Records and Procedure****PART 601—PROCEDURE**

Part 601 has been redesignated as shown in the following table:

Old designation	New designation
601.1-----	Subpart A — General Procedure
601.1 (a)-----	601.1
601.1 (b)-----	601.2
601.1 (c)-----	601.3
601.1 (d)-----	601.4
601.1 (e)-----	601.5
601.1 (f)-----	601.6
601.2-----	Subpart B—Income and Excess Profits Taxes
601.2 (a)-----	601.11
601.2 (b)-----	601.12
601.2 (c)-----	601.13
601.2 (d)-----	601.14
601.2 (e)-----	601.15
601.2 (f)-----	601.16
601.2 (g), (h)-----	601.17
601.3-----	Subpart C—Technical Staff
601.3 (a)-----	601.21
601.3 (b)-----	601.22
601.3 (c)-----	601.23
601.4-----	Subpart D—Estate and Gift Taxes
601.4 (a)-----	601.26
601.4 (b)-----	601.27
601.4 (c)-----	601.28
601.4 (d)-----	601.29
601.4 (e)-----	601.30
601.4 (f)-----	601.31
601.4 (g)-----	601.32
601.4 (h)-----	601.33
601.5-----	Subpart E—Employment Taxes
601.5 (a)-----	601.41
601.5 (b) (1)-(6)-----	601.42
601.5 (b) (7), (8)-----	601.43



Old designation	New designation
601.6-----	Subpart F—Sales Tax Collected by Assessment
601.6 (a)-----	601.46
601.6 (b)-----	601.47
601.6 (c)-----	601.48
601.6 (d)-----	601.49
601.6 (e)-----	601.50
601.6 (f)-----	601.51
601.6 (g), (h)-----	601.52 Forms
601.7-----	Subpart G—Miscellaneous Excise Taxes Collected by Assessment
601.7 (a)-----	601.56
601.7 (b)-----	601.57
601.7 (c)-----	601.58
601.7 (d)-----	601.59
601.7 (e)-----	601.60
601.7 (f)-----	601.61
601.7 (g)-----	601.62
601.8-----	Subpart H—Alcohol Tax Unit Procedure
601.8 (a)-----	601.66
601.8 (b)-----	601.67
601.8 (c)-----	601.68
601.8 (d)-----	601.69
601.8 (e)-----	601.70
601.8 (f)-----	601.71
601.8 (g)-----	601.72
601.8 (h)-----	601.73
601.9-----	Subpart I—Tobacco Taxes
601.9 (a)-----	601.81
601.9 (b)-----	601.82
601.9 (c)-----	601.83
601.9 (d)-----	601.84
601.9 (e)-----	601.85
601.9 (f)-----	601.86
601.9 (g)-----	601.87
601.9 (h)-----	601.88
601.10-----	Subpart J—Miscellaneous Excise Taxes Collected by Sale of Revenue Stamps
601.10 (a)-----	601.91
601.10 (b)-----	601.92
601.10 (c)-----	601.93
601.10 (d)-----	601.94
601.10 (e)-----	601.95
601.10 (f)-----	601.96
601.10 (g)-----	601.97
601.10 (h)-----	601.98
601.10 (i)-----	601.99
601.10 (j)-----	601.100
601.11-----	Subpart K—Excess Profits Tax Council Appellate Functions and Procedure Under Section 722 of the Internal Revenue Code
601.11 (a)-----	601.106
601.11 (b)-----	601.107
Section 601.12 has been excluded from the Code of Federal Regulations, 1949 Edition.	
601.13-----	Subpart L—Rules
601.13 (a)-----	601.116
601.13 (b)-----	601.117
601.13 (c)-----	601.118
601.13 (d)-----	601.119

## TITLE 32—NATIONAL DEFENSE

## Chapter V—Department of the Army

## Subchapter F—Personnel

## PART 577—MEDICAL AND DENTAL ATTENDANCE

## ADMISSION TO AND TREATMENT IN ARMY MEDICAL FACILITIES OF BENEFICIARIES OF BUREAU OF INDIAN AFFAIRS

Section 577.22 is added to Part 577, as follows:

§ 577.22 *Admission to and treatment in medical facilities, Department of the*

*Army, in continental United States and Alaska, of beneficiaries of Bureau of Indian Affairs—(a) General.* The terms and conditions of these regulations, which are applicable to all commands and medical facilities of the Department of the Army in continental United States and Alaska, will govern hospitalization and out-patient treatment of beneficiaries of the Bureau of Indian Affairs in medical facilities of the Department of the Army in continental United States and Alaska, such treatment being authorized when adequate facilities for treatment are available.

(b) *Personnel to whom treatment outlined herein applies.* The treatment outlined herein applies to the following personnel, who are beneficiaries of the Bureau of Indian Affairs:

(1) Enrolled Indians (or members of Indian tribes) in continental United States.

(2) Indians (in Alaska).

(3) Eskimos (in Alaska).

(4) Aleuts (in Alaska).

(c) *Written authorization.* Admission to medical facilities of the Department of the Army for hospitalization or out-patient treatment will be on written signed authorization of the superintendent of the applicable Indian Agency (for Indians in continental United States) or of the General Superintendent, Alaska Native Service, or his authorized representative (for Indians, Eskimos, or Aleuts in Alaska). The authorization will give the full name of the patient and will indicate whether he is an enrolled Indian (in continental United States) or an Indian, an Eskimo, or an Aleut (in Alaska); it will state that he is a beneficiary of the Bureau of Indian Affairs and is entitled to treatment at the expense of the Bureau; it also will give the diagnosis, if known. It is the responsibility of the commanding officer of the medical facility concerned to require such written signed authorization prior to admission of the patient for hospitalization or out-patient treatment. Only in case of emergency may a patient in this category be admitted to a medical facility of the Army for hospitalization or out-patient treatment without written signed authorization. In such instances, it is the responsibility of the commanding officer of the medical facility to obtain properly prepared signed authorization as soon as practicable.

(d) *Medical and surgical treatment.* Except as indicated in subparagraph (1) and (2) of this paragraph, complete medical and surgical treatment will be furnished.

(1) No elective medical or surgical treatment is authorized.

(2) No artificial limbs, artificial eyes, or any other prostheses will be provided. Spectacles and hearing aids, which do not fall within the category of prosthetic appliances, will not be provided.

(e) *Dental treatment.* Dental treatment will be given only for emergency conditions and will be limited to that necessary for the relief of pain or acute conditions or when the dental condition is associated with serious illness requiring hospitalization.

(f) *Rates of charge.* Charges will be at rates for pay patients in Army hos-

pitals for the applicable fiscal year as published annually by the Department of the Army.

[SR 40-590-46, Aug. 4, 1949] (R. S. 161; 5 U. S. C. 22)

[SEAL]

EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 49-6760; Filed, Aug. 18, 1949; 8:47 a. m.]

## TITLE 44—PUBLIC PROPERTY AND WORKS

## Chapter V—Department of State

[Dept. Reg. 108.93; FLC Reg. 8, Amtd. 4]

## PART 508—DISPOSAL OF SURPLUS PROPERTY LOCATED IN FOREIGN AREAS

## IMPORTATION INTO UNITED STATES

AUGUST 16, 1949.

Section 508.15 (formerly § 8508.15 of Title 32) of FLC Regulation 8, as amended (Departmental Regulations 108.30, 108.50, 108.65; 11 F. R. 13423, 12 F. R. 5963, 13 F. R. 614), is hereby amended further so that the section will read as follows:

§ 508.15 *Importations into United States.* Surplus property sold in foreign areas before July 1, 1949, shall not be imported into the United States in the same or substantially the same form in which it was exported from the United States if such property was originally produced in the United States and is readily identifiable as such, except to the extent that the Secretary of Commerce or his delegated representative specifically authorizes such importation upon determination that the importation would relieve domestic shortages or otherwise be beneficial to the economy of this country: *Provided, however,* That the prohibition of this section shall not apply to the importation of such property (a) for the purpose of reconditioning for re-export or (b) by a veteran (or member of the Armed Forces) upon certification by him that the importation is being made for his personal use or (c) if sold primarily for and imported for use as scrap metal and the importer furnishes an undertaking in a form and an amount to be prescribed by the Treasury Department to insure that none of the property will be diverted from use as scrap metal. Nothing in this section shall prevent the importation of property in transit to a point in the United States on or before June 30, 1949, in accordance with the provisions of FLC Regulation 8, Order 6 (14 F. R. 1283).

This order shall become effective upon publication in the FEDERAL REGISTER.

(58 Stat. 765, 59 Stat. 533, 60 Stat. 168, 60 Stat. 754, 50 U. S. C. App. Supp. 1611-1646; Pub. Law 152, 81st Cong.)

August 16, 1949.

[SEAL]

DEAN ACHESON,  
Secretary of State.

[F. R. Doc. 49-6795; Filed, Aug. 18, 1949; 8:50 a. m.]



# PROPOSED RULE MAKING

## DEPARTMENT OF AGRICULTURE

### Production and Marketing Administration

#### [ 7 CFR, Part 958 ]

##### IRISH POTATOES GROWN IN COLORADO

#### NOTICE OF PROPOSED BUDGETS OF EXPENSES AND FIXING OF RATES OF ASSESSMENT FOR 1949-1950 FISCAL PERIOD

Notice is hereby given pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1001 et seq.), that the Secretary of Agriculture is considering the approval of the budgets of expenses and rates of assessments hereinafter set forth, which were recommended by the respective administrative committee for Area No. 1 and for Area No. 3, established pursuant to Marketing Agreement No. 97 and Order No. 58 (7 CFR 958.1 et seq.) regulating the handling of Irish potatoes grown in the State of Colorado, issued under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Consideration will be given to any data, views, or arguments pertaining thereto filed in triplicate with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., so as to be received by him not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 958.201 *Budget of expenses and rate of assessment, Area No. 1.* The expenses necessary to be incurred by the Area Committee for Area No. 1 (Western Slope), established pursuant to Marketing Agreement No. 97 and Order No. 58, to enable such committee to perform its functions, pursuant to provisions of the aforesaid marketing agreement and order and regulations duly issued thereunder, during the fiscal period ending May 31, 1950, will amount to \$2,137.50.

The rate of assessment to be paid by each handler who first ships potatoes from Area No. 1 shall be six mills (\$0.006) per hundredweight of potatoes shipped by him therefrom as the first shipper thereof during such fiscal period: *Provided*, That no assessment shall be paid for a shipment or shipments of potatoes for consumption by a charitable institution or institutions or for distribution for relief purposes or for distribution by a relief agency or agencies.

§ 958.202 *Budget of expenses and rate of assessment Area No. 3.* The expenses necessary to be incurred by the Area Committee for Area No. 3, established pursuant to Marketing Agreement No. 97 and Order No. 58, to enable such committee to perform its functions, pursuant

to provisions of the aforesaid marketing agreement and order and regulations duly issued thereunder, during the fiscal period ending May 31, 1950, will amount to \$6,600.25.

The rate of assessment to be paid by each handler who first ships potatoes from Area No. 3 shall be five mills (\$0.005) per hundredweight of potatoes shipped by him therefrom as the first shipper thereof during such fiscal period: *Provided*, That no assessment shall be paid for a shipment or shipments of potatoes for consumption by a charitable institution or institutions or for distribution for relief purposes or for distribution by a relief agency or agencies.

The terms used herein shall have the same meaning as when used in Marketing Agreement No. 97 and Order No. 58 (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Done at Washington, D. C., this 16th day of August 1949.

[SEAL]

S. R. SMITH,  
Director, Fruit and Vegetable  
Branch, Production and Mar-  
keting Administration.

[F. R. Doc. 49-6785; Filed, Aug. 18, 1949;  
8:54 a. m.]

#### [ 7 CFR, Part 994 ]

##### HANDLING OF PECANS GROWN IN GEORGIA, ALABAMA, FLORIDA, MISSISSIPPI, AND SOUTH CAROLINA

#### DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER

##### Correction

In Federal Register Document 49-6648, appearing at page 5060, of the issue for Tuesday, August 16, 1949, the following changes should be made:

1. In § 994.0 (a) (2) the last line should read "hearing has been held".
2. In § 994.4 (e) the nineteenth line should read "Any such pecans which are subsequently".

## CIVIL AERONAUTICS BOARD

#### [ 14 CFR, Part 291 ]

[Draft release No. 40]

#### CLASSIFICATION AND EXEMPTION OF IRREGULAR AIR CARRIERS

##### WEIGHT STANDARDS

Notice is hereby given that the Civil Aeronautics Board has under consideration the proposed amendment of Part 291 of the Economic Regulations (14 CFR 291) to revise the weight standards used in classifying Small Irregular Carriers.

Section 291.2 (b) of the Economic Regulations classifies as small irregular carriers any irregular air carrier which does not use in its transportation services aircraft units having a gross take-off weight in excess of 10,000 pounds for any one unit or of 25,000 pounds for the total of such units (disregarding units of 6,000 pounds or less). Subparagraph (30) in § 42.1 (a) of the Civil Air Regulations, on the other hand, states that aircraft of less than 12,500 pounds maximum certificated take-off weight shall be considered "small aircraft."

The Board believes that in the interest of uniformity those regulations should be made as consistent as possible. The amendment of Part 291 of the Economic Regulations to bring its provisions into line with the small aircraft standards of the Civil Air Regulations will cause a minimum of disruption in the administration of these rules. It is not considered that this regulation will result in any significant enlargement of the Small Irregular Carrier class because there are only 38 CAA registered aircraft in existence having a gross take-off weight between 10,000 pounds and 12,500 pounds. Of these, irregular air carriers are using only 11 according to CAB records.

A proposed new § 291.2 (b) is set forth below.

This regulation is proposed under authority of section 416 of the Civil Aeronautics Act of 1938.

(52 Stat. 1004; 49 U. S. C. 495)

Interested persons may participate in the proposed rule making through the submission of written data, views or arguments pertaining thereto, in triplicate, addressed to Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant matter in communications received by September 15, 1949, will be considered by the Board before taking final action on the proposed rule.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,  
Secretary.

It is proposed to amend Part 291 of the Economic Regulations (14 CFR 291) by revising § 291.2 (b) in its entirety to read as follows:

(b) Any irregular air carrier, as classified above, which does not use in its transportation services aircraft units having a gross take-off weight in excess of 12,500 pounds for any one unit or of 25,000 pounds for the total of such units (disregarding units of 6,000 pounds or less), shall be classified as a small irregular carrier.

[F. R. Doc. 49-6766; Filed, Aug. 18, 1949;  
8:50 a. m.]



## NOTICES

## DEPARTMENT OF DEFENSE

## Office of the Secretary

## SEAL OF OFFICE FOR DEPARTMENT OF DEFENSE

In accordance with the provisions of section 202 (e) of the National Security Act of 1947 (61 Stat. 495), as amended by Public Law 216, 81st Congress, August 10, 1949, I have caused a seal of office to be made for the Department of Defense. This seal, which the President approved on August 10, 1949, is reproduced below.<sup>1</sup>

LOUIS JOHNSON,  
Secretary of Defense.

AUGUST 15, 1949.

[F. R. Doc. 49-6796; Filed, Aug. 18, 1949;  
8:50 a. m.]

## PRECEDENCE OF MEMBERS OF ARMED FORCES OF UNITED STATES WHEN IN FORMATIONS

By virtue of the authority vested in me by the National Security Act of 1947 (61 Stat. 495), as amended, *It is hereby ordered*, That the members of the Armed Forces of the United States shall take precedence in the following order during formations in which the members thereof may participate:

1. Cadets, United States Military Academy.
2. Midshipmen, United States Naval Academy.
3. Cadets, United States Coast Guard Academy.
4. United States Army.
5. United States Marines.
6. United States Navy.
7. United States Air Force.
8. United States Coast Guard.
9. National Guard of the United States.
10. Organized Reserve Corps of the Army.
11. Marine Corps Reserve.
12. Naval Reserve.
13. Air Force National Guard of the United States.
14. United States Air Force Reserve.
15. Coast Guard Reserve.
16. Other training organizations of the Army, Marine Corps, Navy, Air Force, and Coast Guard, in that order, respectively.

*Provided, however*, that during any period when the United States Coast Guard shall operate as a part of the United States Navy, the Cadets, U. S. Coast Guard Academy, the United States Coast Guard, and the Coast Guard Reserve, shall take precedence, respectively, next after the Midshipmen, United States Naval Academy, the United States Navy, and the Naval Reserve.

LOUIS JOHNSON,  
Secretary of Defense.

AUGUST 15, 1949.

[F. R. Doc. 49-6775; Filed, Aug. 18, 1949;  
9:10 a. m.]

<sup>1</sup> Filed as part of the original document.

## ESTABLISHMENT OF MILITARY SEA TRANSPORTATION SERVICE

Pursuant to the authority vested in me and in the interest of greater efficiency and economy, there is hereby established within the National Military Establishment, under the direction and control of the Department of the Navy, a unified sea transportation organization to be known as the Military Sea Transportation Service (hereinafter referred to as MSTS), which shall have the purpose, composition, authority and responsibility hereinafter described.

1. *Purpose.* The MSTS is established in order to provide, under one authority, control, operation and administration of ocean transportation for personnel (including the transportation of sick and wounded), material (including petroleum products), mail and other cargoes for all agencies or departments of the National Military Establishment (excluding personnel and cargo transported by units of the fleet) and as authorized or directed for other government agencies or departments of the United States subject to established priorities.

2. *Composition.* a. The MSTS shall consist initially of the government owned vessels now assigned to the Department of the Army and the Department of the Navy for the purpose of providing sea transportation for personnel and material of the Armed Services (except those vessels assigned to the combatant fleets of the Department of the Navy) and all other vessels acquired for the purpose, together with the personnel, facilities, and equipment necessary to support the operation. The term "Vessels" as used herein shall include those ships and craft employed in transoceanic, intra-theater, and coastwise operations but excludes those used or required by the Departments of the Army, Navy and Air Force in harbors or inland waterways.

b. The MSTS will be commanded by a Flag Officer appointed by the Chief of Naval Operations subject to the approval of the Secretary of the Navy.

3. *Functions and responsibilities.* a. Subject to the authority and direction of the Chief of Naval Operations the Commander MSTS, will exercise direction, authority and control over the MSTS.

b. The MSTS will be responsible for:

1. The control, operation and administration of government owned vessels assigned, and all other vessels acquired for the purpose of providing a carrier service of ocean transportation of personnel and material for the Armed Services, and, as authorized, for all other government agencies of the United States subject to priorities and policies as directed by the Joint Chiefs of Staff (Joint Military Transportation Committee) and the Munitions Board.

2. The establishment, control, and administration of organization units ashore, worldwide, necessary for the administration and operation of MSTS. (Existing organizations and facilities of the three Services will be utilized by MSTS as is

practicable and necessary and as directed by the Secretary of Defense.)

3. The procurement of vessels outside of the MSTS fleet by bareboat, time and voyage charter, and the procurement of space in commercial shipping as found necessary.

4. The establishment of an adequate system for reporting requirements for transportation of passengers and cargo within the three Services, and for such other operational information as considered by MSTS to be necessary for the efficient employment of MSTS vessels, and for the chartering of commercial vessels and the procurement of commercial shipping space.

5. The administration of priorities for sea transportation of material and personnel of the Armed Services in accordance with the policies and procedures established by the Joint Military Transportation Committee.

6. In coordination with pertinent government agencies, the preparation of recommendations for the design, specifications, and equipment of transport vessels. In collaboration with pertinent government agencies, the making of studies, analyses and recommendations for the improvement and standardization of sea transport control practices, procedures, reports, forms, and coordination of traffic movements.

7. The control and administration of maintenance, repair and alterations of all government owned vessels assigned to MSTS plus the maintenance and repair of vessels under bareboat charter.

8. The preparation of plans for the employment and expansion of MSTS in time of national emergency. These plans will be based on the policies and directives issued by the Joint Chiefs of Staff and the Munitions Board. The execution of such approved plans requiring the services, facilities, and personnel of commercial sea carriers and negotiations therefor, are the responsibility of the Commander MSTS who will consult and coordinate with the appropriate agencies of the NME.

9. The development and maintenance, in consonance with policies and procedures approved by the Office of the Secretary of Defense and the Department of the Navy, of such cost accounting records and operational statistics as will reflect the degree of efficiency and economy of the operations conducted by MSTS and show the utilization of funds, manpower, and equipment assigned to MSTS. Suitable reports will be made to interested agencies of the NME.

10. The determination of the requirements of MSTS with respect to personnel, equipment, material, facilities and services, and advising the Chief of Naval Operations in these matters.

11. The preparation of budgetary and other fiscal requirements of MSTS as coordinated with participating agencies in accordance with directives of the Secretary of Defense on fiscal matters.

12. The administrative control of funds received by transfer, by reimbursement or received in payment for



services rendered in consonance with policies directed by the Secretary of Defense.

13. The approval of stowage plans and their proper implementation. The Armed Service concerned will have representation with MSTs in the preparation of detailed stowage plans affecting the shipments made by that Service. The movement of cargo of the three Armed Services to the side of the ship is a responsibility of the Department owning the cargo. Stevedoring service will be arranged for by the port command when government port facilities are being utilized. Stevedoring service will be arranged for by the Department owning the cargo when commercial port facilities are used. The responsibility for the implementation and execution of loading or unloading rests with the activity furnishing the stevedoring services. The responsibility of MSTs for cargo begins when the cargo is finally stowed on board and accepted by the commanding officer, and terminates when the cargo is accepted free on board ship at destination.

14. The coordination between the Services and MSTs of the booking of passengers and cargo. The Armed Service concerned will have representation with MSTs in the approval of detailed plans affecting the movement of personnel and cargo of that service.

15. The control of all passengers on MSTs vessels. By agreement between MSTs and the Armed Service concerned, administrative control may be exercised through commanders of personnel assigned by the Armed Service concerned. The responsibility of the MSTs begins when the passenger embarks on the ship and terminates when the passenger disembarks from the ship.

16. The coordination of MSTs activities with the administration, management, and operational control of port facilities. Such harbor tugboats and harbor facilities as are available and are necessary in connection with the operation of vessels will be provided for the use of MSTs through mutual agreements of all departments concerned and as local conditions permit.

4. *Implementation.* a. The Departments of the Army, Navy and Air Force will take necessary action to facilitate the efficient and economical operation of MSTs, such action to include the temporary loan of military personnel, transfer of civilian personnel, and furnishing of facilities, equipment and funds which have previously been provided to the respective services for sea transport operation and the provision of logistic support. Temporary loan of Army and Air Force military personnel will terminate by April 1, 1950, subject to minor exceptions as agreed to between Services for key personnel. The respective Secretaries are hereby authorized to issue such orders as may be necessary to effectuate the purposes of this directive.

b. The consolidation of those parts of several service agencies which will constitute the MSTs will be effected under the direction and control of the Chief of Naval Operations, with the minimum loss of continuity of operations. It shall be initiated not later than October 1,

1949 and completed as soon thereafter as practicable. When the consolidation has been completed the Secretary of the Navy will so inform the Secretary of Defense.

c. The operation of ports is a responsibility of the separate Services.

d. The rights and privileges of Civil Service personnel, now employed by the Army and who may be transferred to the Navy will be protected.

e. The Department of the Army and the Department of the Air Force will assign liaison personnel to the MSTs for the purpose of representing their interests in MSTs.

f. The MSTs, in discharging its functions and responsibilities, will be governed by the policies of the Munitions Board in those transportation matters which have been agreed upon by the Joint Chiefs of Staff and that board as the responsibilities of the Munitions Board (currently defined in Tab "A" to JCS 1672/19.)

g. In addition to the matters directed herein, the Secretary of Defense will take whatever further steps are necessary, through the request for legislation or the exercise of transfer powers which may be vested in him, to authorize the control, operation, and administration by MSTs of the functions, powers, duties, properties, personnel, records, or other things transferred to MSTs, under laws, orders, and regulations now applicable thereto or which may be necessary for their effective control, operation, and administration.

LOUIS JOHNSON,  
*Secretary of Defense.*

AUGUST 2, 1949.

[F. R. Doc. 49-6774; Filed, Aug. 18, 1949;  
8:49 a. m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### COLORADO AND OREGON

#### RESTORATION ORDER NO. 1272 UNDER FEDERAL POWER ACT; CORRECTION

AUGUST 15, 1949.

In Federal Register Document 49-6250, appearing at page 4810 of the issue for Tuesday, August 2, 1949, the phrase in line 14 of column 2, "shall be moved or relocated" should read "shall be removed or relocated".

ROSCOE E. BELL,  
*Associate Director.*

[F. R. Doc. 49-6752; Filed, Aug. 18, 1949;  
8:45 a. m.]

### Bureau of Reclamation

#### REDELEGATIONS OF AUTHORITY BY COMMISSIONER OF RECLAMATION

AUGUST 12, 1949.

SECTION 1. *Contracts.* Pursuant to the authority contained in section 50 of Departmental Order No. 2509 (14 F. R. 306), subject to applicable regulations and appropriations, the Purchasing Agent, Central Procurement Services

Office, Region III, Los Angeles, California, may:

(a) Award and execute contracts for supplies or services where the amount does not exceed \$10,000;

(b) Approve and execute change orders and extra work orders pursuant to contracts for supplies or services where the amount does not exceed \$10,000;

(c) Approve and enter into modifications of contracts for supplies or services which are legally permissible, and terminate such contracts if such action is legally authorized, where the amount does not exceed \$10,000.

(Order No. 2509; 14 F. R. 306)

KENNETH MARKWELL,  
*Acting Commissioner of Reclamation.*

[F. R. Doc. 49-6753; Filed, Aug. 18, 1949;  
8:45 a. m.]

#### REDELEGATIONS OF AUTHORITY BY COMMISSIONER OF RECLAMATION

AUGUST 12, 1949.

SECTION 1. *Contracts.* Pursuant to the authority contained in section 50 of Departmental Order No. 2509 (14 F. R. 306), subject to applicable regulations and statutory requirements and subject to availability of appropriations, the Area Engineer in charge of the Lower Platte River Area (Missouri River Basin) at Grand Island, Nebraska, may:

(a) Award and execute contracts for supplies or services where the amount does not exceed \$5,000;

(b) Approve and execute change orders and extra work orders pursuant to contracts for supplies or services where the amount does not exceed \$5,000;

(c) Approve and enter into modifications of contracts for supplies or services which are legally permissible, and terminate such contracts if such action is legally authorized, where the amount does not exceed \$5,000.

(Order No. 2509; 14 F. R. 306)

KENNETH MARKWELL,  
*Acting Commissioner of Reclamation.*

[F. R. Doc. 49-6754; Filed, Aug. 18, 1949;  
8:46 a. m.]

[No. 6]

#### TUCUMCARI IRRIGATION PROJECT, NEW MEXICO

#### ANNOUNCEMENT OF ANNUAL WATER RENTAL CHARGES

JUNE 20, 1949.

1. I have determined that it is factually impossible, in view of the provision for construction of distribution works by the United States under the contract with the Arch Hurley Conservancy District dated December 27, 1938, to make water available for irrigation use during the season of 1950 as contemplated in article 8 of the contract.

2. *Water rental.* Pursuant to article 10 of the contract of December 27, 1938, irrigation water will be furnished, when available, upon a rental basis during the



irrigation season of 1950, where the progress of construction will permit, to the irrigable lands in the Arch Hurley Conservancy District described below:

*Units Nos. 1, 2, 3, 4 and 5*—Water to be furnished beginning about April 1, 1950.

*Units Nos. 6 and 7*—Water to be furnished to lands for which distribution facilities are completed during or prior to the irrigation season, 1950.

Irrigable lands shall be as designated by the Secretary under date of February 5, 1948, and described in detail in Appendix No. 1, Tabulation of Irrigable Areas, dated October 8, 1947, for Units 1 through 5, and in Appendix No. 2, Tabulation of Irrigable Areas, dated August 4, 1947, for Units 6 and 7, including any subsequent corrections, amendments or modifications thereof. Any qualified water user wishing to ascertain the irrigability of any tract of land may do so by examining copies of these designations in the office of the Arch Hurley Conservancy District.

3. *Charges and terms of payment*—(a) *Units 1, 2, 3, 4 and 5*—The minimum water rental charge for irrigable land within the boundaries of Units 1, 2, 3, 4 and 5, as above described shall be \$3.00 per irrigable acre, payment of which will entitle the water user to one and one-half acre-feet of water per irrigable acre. Additional water will be furnished during the irrigation season at the following rates:

Next one-half acre-foot: \$1.00 (at a rate of \$2.00 per acre-foot).

Third and additional acre-feet per acre: \$2.50 per acre-foot.

(b) *Units 6 and 7*. The minimum water rental charge for irrigable land within the boundaries of Units 6 and 7 as above described shall be \$1.00 per irrigable acre for each irrigable acre of land for which water service is requested, payment of which will entitle the water user to one acre-foot of water per irrigable acre. Additional water will be furnished during the irrigation season at the following rates:

Second acre-foot per acre: \$1.00 per acre-foot.  
Third and additional acre-feet per acre: \$1.50 per acre-foot.

All charges shall be payable by the District to the United States in advance of the delivery of water.

4. Water will be delivered and measured by Government forces at the nearest available measuring device to the individual farm.

5. The District will request water delivery for, and certify to the United States as entitled to receive water, only such lands as are owned or are held under contract of purchase by persons duly qualified to receive water under the terms of the Reclamation Act of June 17, 1902 (32 Stat. 388), and acts of Congress supplementary thereto or amendatory thereof, and who have duly complied with the requirements of the contract of December 27, 1938, between the United States and the District, including:

(a) The execution and delivery of the recordable contract as provided for in article 30 (b) of said contract;

(b) The execution and delivery of the valid recordable contract, in case of

ownership of excess land, as provided for in articles 30 (a) and 32 of said contracts.

6. Individual applications for water on forms approved by the United States and the payments required by this announcement will be received at the office of the Secretary of the Arch Hurley Conservancy District, Tucumcari, New Mexico. Requests by the District for water for such lands as are entitled to receive water and payments by the District to the United States will be received at the office of the Bureau of Reclamation, Tucumcari, New Mexico.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

H. E. ROBBINS,  
Regional Director.

[F. R. Doc. 49-6755; Filed, Aug. 18, 1949;  
8:46 a. m.]

## DEPARTMENT OF COMMERCE

### Office of International Trade

[Case No. 55]

DAUBION CORP. ET AL.

#### ORDER SUSPENDING LICENSE PRIVILEGES

In the matter of: Daubion Corporation, Michael Biondic, 53 Broadway, New York, New York; International Export Company of America, Charles Gold, 15 Moore Street, New York 4, New York; Payne Trading Corporation, Herman A. Sampliner, 8945 Broadway, Cleveland, Ohio; John J. Vandette, 2829 Naylor Road SE., Washington 20, D. C.

This proceeding was instituted on May 19, 1949, by the transmission of a charging letter to the above-named respondents wherein the Office of International Trade charged respondents with having violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder by making, receiving, or participating in certain unauthorized transfers of an export license and by making, causing to be made, or participating in certain exportations under the purported authority of said license by unauthorized exporters to unauthorized consignees.

A hearing was held on said charges in New York City on June 16, 1949, pursuant to notice duly given, before the Compliance Commissioner of the Office of International Trade. Respondent Gold personally appeared at the hearing and was represented by counsel but did not testify. He has declined the offer of an opportunity to appear and testify at an adjourned hearing. None of the other respondents answered or appeared at the hearing either personally or through counsel. The Office of International Trade was represented by counsel and testimony of its witnesses, together with certain documentary exhibits, including sworn statements by all individual respondents, was received in evidence. The Compliance Commissioner, after due consideration of the record, on August 4, 1949, filed his report in the matter.

It appears from the record and the report of the Compliance Commissioner that respondent Vandette, having obtained from the Office of International

Trade on or about January 19, 1948, an export license authorizing the shipment of 255 tons of barbed wire to a consignee in Cuba, thereafter transferred said license to respondents Sampliner and Payne Trading Corporation with the knowledge and intention that it would be used by unauthorized persons to effect exportation to unauthorized consignees; that on or about February 17, 1948, respondents Sampliner and Payne Trading Corporation transferred said license to respondent Gold (doing business under the trade name of International Export Company of America) likewise with the knowledge and intention that it would be used by unauthorized persons to effect exportations to unauthorized consignees; that during the months of February and March 1948 respondent Gold, under the purported authority of said export license, exported from the United States a total of 281,600 pounds of barbed wire to various consignees in Cuba other than the consignee authorized in said export license; that in the course of making such exportations respondent Gold filed or caused to be filed with the Collector of Customs at New York City nine certain export declarations prepared by him or under his authority which were knowingly false in that they described the shipments as being made by respondent Vandette to the authorized consignees in Cuba, they contained a pretended but fictitious appointment of a forwarding agent by respondent Vandette, and they were executed in the name of a person whose identity is unknown and whose signature appears to have been fictitious if not forged; that on or about March 30, 1948, respondent Gold transferred said license to respondents Biondic and Daubion Corporation with the knowledge and intention that it would be used by the latter to effect an unauthorized exportation to an unauthorized consignee in Cuba; that respondents Biondic and Daubion Corporation, on or about March 30, 1948, under the purported authority of said license and using an export declaration prepared for them by respondent Gold and containing the same falsifications as above described, exported from the United States 44,000 pounds of barbed wire to a consignee in Cuba other than the consignee authorized in said license; and that respondents, by making, receiving, or participating in the transfer of said license, and in making, causing to be made, or participating in the making of the described shipments under the purported authority of said license violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder.

The Compliance Commissioner has accordingly recommended that all outstanding export licenses held by or issued in the names of respondents or any of them be revoked and forthwith returned to the Office of International Trade for cancellation; that respondents be denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general as well as validated licenses, for a period of six months in the case of respondent Gold (doing business as International Export



Company of America), and for a period of three months in the case of all other respondents; and, further, that such denial extend not only to the named respondents but also to any trade name, firm, corporation or other business association with which they or any of them may be now or hereafter related by ownership, control or otherwise in the conduct of export trade.

The findings and recommendations of the Compliance Commissioner have been carefully considered together with the record in this matter and it appears that such findings are supported by the record and that such recommendations are fair and reasonable and should be adopted. Now, therefore, it is ordered as follows:

(1) Respondent Charles Gold (doing business as International Export Company of America) is hereby denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general as well as validated licenses, for a period of six months from the date of this order.

(2) Respondents Herman A. Sampliner, Payne Trading Corporation, Michael Biondic, Daubion Corporation and John J. Vandette are hereby denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general as well as validated licenses, for a period of three months from the date of this order.

(3) Such denial of export license privileges shall extend not only to the named respondents but also to any trade name, firm, corporation or other business association with which they or any of them may be now or hereafter related by ownership, control or otherwise in the conduct of export trade.

(4) All outstanding export licenses held by or issued in the name of respondents or any of them are hereby revoked and shall be forthwith returned to the Office of International Trade for cancellation.

Dated: August 15, 1949.

JAMES C. FOSTER,  
Acting Director,  
Commodities Division.

[F. R. Doc. 49-6769; Filed, Aug. 18, 1949;  
8:49 a. m.]

[Case No. 56]

EDWARDS INTERNATIONAL CORP. ET AL.  
ORDER SUSPENDING LICENSE PRIVILEGES

In the matter of: Edwards International Corporation, Milton Edwards, Leonard (Leno) Morey, Lillian (Mrs. Milton) Edwards, 30 Church Street, New York, New York.

This proceeding was begun on June 6, 1949, by the mailing of a charging letter to the above-named respondents wherein the Office of International Trade charged respondents with having violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder, by submitting to the Office of International Trade, under date of October 20, 1948, two applications for licenses to export

to a named consignee in Italy a total of 3,100 automobile and truck tires and an equal number of tubes but with the knowledge and intention that such tires and tubes were being purchased for transshipment to Rumania or Turkey.

It appears that respondents, upon receiving the above-mentioned charging letter, submitted to the Office of International Trade, with the advice of counsel and through such counsel, a written statement to the effect that they do not desire to contest the charges and that they consent to the entry of an order denying to respondents, Edwards International Corporation and Milton Edwards, and any other person, firm or corporation with whom either of said respondents may be related by ownership, control or other connection in the conduct of export trade, the privilege of utilizing general export license privileges to any destination for a period of 60 days and the privilege of obtaining or using validated export licenses for shipment to destinations in Country Group "R" for a period of two years, such two-year suspension to be subject to the right of respondents or either of them to apply at the expiration of one year for a reinstatement of such license privileges.

It further appears that the Office of International Trade has recommended the approval of such proposal for a consent order; that the statement submitted by respondents, together with various investigation reports, copies of correspondence, and other documents comprising the Office of International Trade file in the case, have been submitted to the Compliance Commissioner of the Office of International Trade for review; that respondent Milton Edwards has personally appeared with counsel before the Compliance Commissioner and has been informally examined with respect to the alleged violation and as to the nature and scope of his export operations; and that the Compliance Commissioner has, under date of August 3, 1949, submitted his report in the matter.

It appears from the record and the report of the Compliance Commissioner that respondents, during the several weeks preceding October 20, 1948, engaged in certain correspondence with a prospective customer for tires and tubes in Italy; that such prospective customer wrote to respondents under date of October 8, 1948, expressly stating that the tires and tubes in which he was interested were destined for Rumania and Turkey and should be shipped to Italy in transit for such other destinations and further advising respondents of the necessity of obtaining export licenses for such other destinations; that thereafter under date of October 20, 1948, respondents submitted to the Office of International Trade their applications for licenses to export the tires and tubes to the designated purchaser in Italy and represented in said applications that the ultimate destination was Italy and the ultimate use was "replacement on the consignee's own vehicles and also to be used for replacement on vehicles in own garage"; that as a result of investigation of the Italian customer through the U. S. Foreign Service it has been disclosed that such prospective customer was in neither the trucking nor the import business, had

not applied for an Italian import permit, and would be ineligible for such a permit in any event; that such export license application was never in fact granted nor any shipment of the tires and tubes made; and that, in making such false representations to the Office of International Trade, respondents violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder.

It further appears from the record and the report of the Compliance Commissioner that neither of the respondents Leonard (Leno) Morey or Lillian (Mrs. Milton) Edwards were shown to have had any knowledge of or part in the instant transaction or the filing of the export license applications or to have participated so intimately in the affairs of the corporation as to warrant their inclusion in a suspensory order. The statement submitted by respondents accordingly stipulates that no such order be made applicable to these two respondents.

The Compliance Commissioner has accordingly found that the proposed suspension of license privileges is just and reasonable and has recommended that it be approved and an order be issued in accordance with the consent of respondents. The findings and recommendations of the Compliance Commissioner have been carefully considered, together with the statement submitted by respondents and the record in the matter, and it appears that such findings are reasonable and that such recommendations should be adopted. Now, therefore, it is ordered as follows:

(1) Respondents Edwards International Corporation and Milton Edwards are hereby denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of validated export licenses for shipment to destinations in Country Group "R" (as defined in § 371.3 (a) of the Fourth General Revision of Export Regulations) for a period of two years from the date of this order: *Provided, however*, That said respondents or either of them may, at any time after the expiration of one year from the date of this order, apply for reinstatement of such validated export license privileges.

(2) Respondents Edwards International Corporation and Milton Edwards are likewise denied the privilege of utilizing, or participating directly or indirectly in the utilizing, of any general licenses to any destinations for a period of 60 days from the date of this order.

(3) Such denial of export license privileges shall extend not only to respondents Edwards International Corporation and Milton Edwards but also to any other person, firm or corporation with whom they or either of them may be related by ownership, control or other connection in the conduct of export trade.

(4) The charges insofar as they relate to respondents Leonard (Leno) Morey and Lillian (Mrs. Milton) Edwards are hereby dismissed.

Dated: August 16, 1949.

JAMES C. FOSTER,  
Acting Director,  
Commodities Division.

[F. R. Doc. 49-6770; Filed, Aug. 18, 1949;  
8:49 a. m.]



[Case No. 57]

NEW YORK EXPORT AGENCY CO.

## ORDER DENYING LICENSE PRIVILEGES

In the matter of: Thomas P. Lynch, doing business as New York Export Agency Company, 21 Bridge Street, New York 4, New York.

This proceeding was instituted on May 17, 1949, by the transmission of a charging letter to the above-named respondent, wherein the Office of International Trade charged respondent with having violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder, by attempting to export to Colombia, on or about July 7, 1948, 20 water closet sets (which required validated export license) by falsely describing them as urinals (which might be exported under general license).

A hearing was held on said charges, pursuant to notice given in the charging letter, on June 3, 1949, in New York City, before the Compliance Commissioner of the Office of International Trade. Respondent made no answer to the charges and did not appear at the hearing. Evidence in documentary form was presented on behalf of the Office of International Trade in support of the charges. The Compliance Commissioner, after due consideration of the record, on August 11, 1949, filed his report in the matter.

It appears from the record and the report of the Compliance Commissioner that respondent was at the time of the transactions herein involved engaged in conducting a general export business in New York City under the name and style of New York Export Agency Company but has since discontinued such business and presently resides in California; that respondent on or about July 7, 1948, attempted to export from the United States to Colombia 20 water closet sets which required validated export license by falsely declaring them as urinals which might be exported under general license; that respondent did thereby knowingly make false representations and certifications to the Office of International Trade and did attempt to make such exportation of water closet sets without having obtained or holding the required export license therefor; and that respondent thereby violated section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, and the regulations promulgated thereunder.

The Compliance Commissioner has accordingly recommended that all outstanding export licenses held by or issued in the name of respondent be revoked and forthwith returned to the Office of International Trade for cancellation; that respondent be denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general as well as validated licenses, until such time and except upon such terms and conditions as the Office of International Trade shall, upon application and full disclosure of all relevant matters by respondent, reinstate such license privileges; and, further that

such denial of license privileges extend not only to respondent individually but also to any trade name, firm, corporation, or other business association with which he may be now or hereafter related by ownership, control, or otherwise in the conduct of export trade.

The findings and recommendations of the Compliance Commissioner have been carefully considered together with the record in this matter and it appears that such findings are supported by the record and that such recommendations are fair and reasonable and should be adopted. Now, therefore, it is ordered as follows:

(1) Respondent Thomas P. Lynch (doing business as New York Export Agency Company) is hereby denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general as well as validated licenses, until such time and except upon such terms and conditions as the Office of International Trade shall, upon application and full disclosure of all relevant matters by respondent, reinstate such license privileges.

(2) Such denial of export license privileges shall extend not only to respondent Thomas P. Lynch personally but also to any trade name, firm, corporation, or other business association with which he may be now or hereafter related by ownership, control, or otherwise in the conduct of export trade.

(3) All outstanding export licenses held by or issued in the name of respondent are hereby revoked and shall be forthwith returned to the Office of International Trade for cancellation.

Dated: August 15, 1949.

JAMES C. FOSTER,  
Acting Director,  
Commodities Division.

[F. R. Doc. 49-6771; Filed, Aug. 18, 1949;  
8:49 a. m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 1789 et al.]

CAPITAL AIRLINES, INC., ET AL.; MILWAUKEE-CHICAGO-NEW YORK RESTRICTIONS CASE

## NOTICE OF ORAL ARGUMENT

In the matter of applications of Capital Airlines, Inc. (formerly Pennsylvania Central Airlines), Northwest Airlines, Inc., and American Airlines, Inc., Dockets Nos. 1789, 1790, 2272, and 3583, for amendment of certificates of public convenience and necessity, and the proceeding instituted by Board Order Serial No. E-1904, pursuant to section 401 (h) of the Civil Aeronautics Act of 1938, as amended, Docket No. 3469.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be heard September 12, 1949, at 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., August 15, 1949.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 49-6767; Filed, Aug. 18, 1949;  
8:50 a. m.]

## HOUSING AND HOME FINANCE AGENCY

## Federal Housing Administration

## DELEGATIONS OF AUTHORITY TO NAMED POSITIONS

1. In accordance with renumbering set up at 14 F. R. 232 for former §§ 500.1 to 500.22, inclusive, of Chapter V of Title 24, the codification of which was discontinued at 13 F. R. 6433, the following changes will be noted:

a. Section 13, Specific Delegations to Named Positions, as amended, is hereby amended as follows:

Paragraph numbered "1" of subsection (D), as amended, is amended by striking "sections 207 and 608" and substituting in lieu thereof "sections 207 and 608 and Title VIII".

Paragraph numbered "2" is amended by adding before the period at the end thereof the following "and Title VIII".

Paragraph numbered "3" is amended by adding before the period at the end thereof the following "and Title VIII".

Paragraph numbered "5" is amended by adding before the period at the end thereof the following "and Title VIII".

Paragraph numbered "6" is amended by striking "sections 207 and 608" and substituting in lieu thereof "sections 207 and 608 and Title VIII".

Paragraph numbered "7 (i)" is amended by striking "sections 207 or 608" and substituting in lieu thereof "sections 207 and 608 and Title VIII".

Paragraph numbered "12" is amended by striking "sections 207 and 608" and substituting in lieu thereof "sections 207 and 608 and Title VIII".

Subsection (E), as amended, is amended by striking paragraphs numbered "1" and "2" and substituting in lieu thereof the following new paragraph numbered "1":

1. To have supervision and direction over the Office Management Division and the Service Division.

Subsection (E) is further amended by renumbering paragraphs 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 to read paragraphs 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 respectively.

Paragraph numbered "14" of subsection (H) is amended by striking "sections 207 and 608" and substituting in lieu thereof "sections 207 and 608 and Title VIII".

b. Paragraph numbered "15" of subsection (H), as amended, is amended by adding before the period at the end thereof the following: "and Title VIII".

Subsection (K), as amended, is amended to read as follows:

(K) To the position of Director of Personnel, and in his absence or inability to act, to the Deputy Director of Personnel.



1. To be responsible for the development, establishment and operation of a personnel program.

2. To make appointments and to remove or separate personnel; to fix the administrative work week; to approve overtime work and to prescribe rules and regulations regarding overtime.

3. To act as the representative of the Federal Housing Administration on the Federal Council of Personnel Administration, with the Civil Service Commission, and all Government Agencies and other organizations with respect to personnel matters.

Subsection (L), as amended, is amended to read as follows:

(L) To the position of Director of the Budget Division:

1. To be directly responsible to the Commissioner for all budget activities and to act as the Commissioner's representative in all budget matters in meetings held by the Bureau of the Budget or other agencies.

2. To be responsible for the development and execution of the budget program including the preparation of budget estimates and justification therefor; the preparation of requests for apportionment of funds and justification therefor; and the allotment of funds within the limits of appropriation acts, apportionments and other limitations.

c. Section 13, Specific Delegations to Named Positions, as amended, is further amended by adding at the end thereof the following new subsection:

(N) To the position of Director of the Service Division, acting under the supervision and direction of the Assistant Commissioner, Administrative Services:

1. To be responsible for the arrangement, format, and general presentation of all forms and publications of the Administration.

2. To be responsible for the operation and maintenance of the duplicating service of the Administration, including the maintenance of the duplicating and binding service, mechanical addressing and mailing service and photographic laboratory.

3. To be responsible for the maintenance of a perpetual inventory of forms, costs records, and stockroom for materials necessary and incidental to the above responsibilities.

4. To be responsible for the radio spot announcement program and other radio material and to coordinate and supervise the FHA Home Show and exhibit program.

d. Section 14, Delegations to Committees, as amended, is amended by adding at the end thereof the following new subsection:

(G) To a Committee to be known as the "Personnel Ceiling Committee," consisting of the Director of Personnel, Chairman; the Director of the Budget Division; and the Assistant to the Commissioner:

1. To establish a personnel ceiling for each division in the Administration, and to review such ceilings each quarter immediately after receiving the agency personnel ceilings established by the Bu-

reau of the Budget. In the absence of any member of the Committee an alternate designated by the member shall attend and participate in the work of the Committee.

[SEAL]

DONALD M. ALSTRUP,  
Assistant Commissioner.

[F. R. Doc. 49-6756; Filed, Aug. 18, 1949;  
8:46 a. m.]

## INTERSTATE COMMERCE COMMISSION

[Docket No. 30082]

### MISSISSIPPI INTRASTATE EXPRESS RATES AND CHARGES

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 8th day of August A. D. 1949.

It appearing, that a petition, dated July 12, 1949, has been filed on behalf of Railway Express Agency, Incorporated, a common carrier of express, principally by railroad, operating to, from, and between points in the State of Mississippi, averring that in Ex Parte No. 163, Increased Express Rates and Charges, 1946, 273 I. C. C. 231, this Commission authorized certain increases in interstate express rates and charges throughout the United States, which were established February 14, 1949; and that the Mississippi Public Service Commission, by order dated May 4, 1949, has refused to authorize or permit said petitioner to apply to the transportation of express, moving intrastate by railroad in Mississippi, increases in rates and charges corresponding to those approved for interstate application in the proceeding above cited;

It further appearing, that said petitioner alleges that the intrastate express rates and charges which it is required to maintain for the transportation of property as aforesaid, moving intrastate by railroad in Mississippi as a result of such refusal by the Mississippi Public Service Commission, cause undue and unreasonable advantage, preference, and prejudice as between persons and localities in intrastate commerce, on the one hand, and interstate commerce, on the other hand, and undue, unreasonable, and unjust discrimination, against interstate and foreign commerce;

And it further appearing, that the said petition brings in issue express rates and charges made or imposed by authority of the State of Mississippi:

It is ordered, That in response to the said petition, a further investigation be, and it is hereby, instituted in this proceeding, and that a hearing be held therein for the purpose of receiving evidence from the respondent herein-after designated and any other persons interested, to determine whether the express rates and charges of the Railway Express Agency, Incorporated, between points in Mississippi made or imposed by authority of the State of Mississippi cause undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce, on the one hand, and interstate or foreign commerce, on the other hand, or any

undue, unreasonable, or unjust discrimination against interstate or foreign commerce, and to determine what express rates and charges, if any, or what maximum or minimum or maximum and minimum express rates and charges shall be prescribed to remove the unlawful advantage, preference or discrimination, if any, as may be found to exist;

It is further ordered, That the Railway Express Agency, Incorporated, be, and it is hereby, made respondent to this proceeding; that a copy of this order be served upon said respondent; and that the State of Mississippi be notified of this proceeding by sending copies of this order and of said petition by registered mail to the Governor of the said State and to the Mississippi Public Service Commission at Jackson, Miss.

It is further ordered, That notice of this proceeding be given to the public by depositing a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.

And it is further ordered, That this proceeding be assigned for hearing at such time and place as the Commission may hereafter designate.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 49-6759; Filed, Aug. 18, 1949;  
8:47 a. m.]

## NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS

### CURRENCY EXCHANGE CONTRACTS CONTRARY TO EXCHANGE CONTROL REGULATIONS

#### INTERPRETATION BY DIRECTORS OF INTERNATIONAL MONETARY FUND

The following interpretation has been issued by the Board of Directors of the International Monetary Fund under Article XVIII of the Articles of Agreement of the International Monetary Fund, the obligations of which have been accepted for the United States pursuant to the Bretton Woods Agreements Act (59 Stat. 512, 22 U. S. C. 286):

The Board of Executive Directors of the International Monetary Fund has interpreted, under Article XVIII of the Articles of Agreement, the first sentence of Article VIII, section 2 (b) which provision reads as follows:

Exchange contracts which involve the currency of any member and which are contrary to the exchange control regulations of that member maintained or imposed consistently with this Agreement shall be unenforceable in the territories of any member.

The meaning and effect of this provision are as follows:

1. Parties entering into exchange contracts involving the currency of any member of the Fund and contrary to exchange control regulations of that member which are maintained or imposed consistently with the Fund Agree-



ment will not receive the assistance of the judicial or administrative authorities of other members in obtaining the performance of such contracts. That is to say, the obligations of such contracts will not be implemented by the judicial or administrative authorities of member countries, for example, by decreeing performance of the contracts or by awarding damages for their non-performance.

2. By accepting the Fund Agreement, members have undertaken to make the principle mentioned above effectively part of their national law. This applies to all members, whether or not they have availed themselves of the transitional arrangements of Article XIV, section 2.

An obvious result of the foregoing undertaking is that if a party to an exchange contract of the kind referred to in Article VIII, section 2 (b) seeks to enforce such a contract, the tribunal of the member country before which the proceedings are brought will not, on the ground that they are contrary to the public policy (ordre public) of the forum, refuse recognition of the exchange control regulations of the other member which are maintained or imposed consistently with the Fund Agreement. It also follows that such contracts will be treated as unenforceable notwithstanding that under the private international law of the forum, the law under which the foreign exchange control regulations are maintained or imposed is not the law which governs the exchange contract or its performance.

The Fund will be pleased to lend its assistance in connection with any problem which may arise in relation to the foregoing interpretation or any other aspect of Article VIII, section 2 (b). In addition, the Fund is prepared to advise whether particular exchange control regulations are maintained or imposed consistently with the Fund Agreement.

[SEAL] JOHN W. SNYDER,  
Chairman of the National  
Advisory Council on Inter-  
national Monetary and Finan-  
cial Problems.

[F. R. Doc. 49-6763; Filed, Aug. 18, 1949;  
10:01 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2177]

POTOMAC EDISON CO. ET AL

### ORDER GRANTING APPLICATIONS AND PERMIT- TING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 12th day of August A. D. 1949.

In the matter of the Potomac Edison Company, Potomac Light and Power Company, South Penn Power Company, File No. 70-2177.

The Potomac Edison Company ("Potomac Edison"), a registered holding company and a public utility subsidiary of a registered holding company (The West Penn Electric Company), and its wholly-owned public utility subsidiary

companies, Potomac Light and Power Company ("Potomac Light") and South Penn Power Company ("South Penn"), having filed joint applications-declarations, and an amendment thereto, with this Commission pursuant to sections 6, 7, 9, 10, and 12 of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder with respect to the following transactions:

Potomac Light proposes to issue and sell 3,750 shares of its authorized Common Stock, par value \$100 per share, and Potomac Edison proposes to acquire such shares for a cash consideration of \$375,000, the aggregate par value thereof.

South Penn proposes to issue and sell 48,000 shares of its authorized common Capital Stock, without nominal or par value, and Potomac Edison proposes to acquire such shares for a cash consideration of \$240,000 (\$5 per share), the aggregate stated value thereof.

Potomac Light and South Penn propose to use the proceeds from the proposed sales for the construction of property additions and, in the case of South Penn, to repay \$50,000 of open account indebtedness due Potomac Edison.

Potomac Edison proposes to use existing treasury funds in effecting the proposed acquisitions and the shares acquired will be pledged under the Indenture securing the company's First Mortgage and Collateral Trust Bonds in accordance with the terms thereof; and

Applicants-declarants having requested that the Commission's order granting and permitting to become effective said applications-declarations become effective forthwith upon issuance; and

Said applications-declarations having been filed on July 1, 1949 and notice of filing having been duly given in the form and manner prescribed by Rule U-23 under said act, and the Commission not having received a request for hearing with respect to said applications-declarations within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Public Service Commission of Maryland, the Public Service Commission of West Virginia, and the Pennsylvania Public Utility Commission, which the applicants-declarants represent as the only State commissions having jurisdiction with respect to the various proposed transactions, having issued orders approving the proposed transactions; and

The Commission finding with respect to said applications-declarations, as amended, that the applicable provisions of the act and the rules and regulations thereunder have been satisfied and that there is no basis for adverse findings and deeming it appropriate in the public interest and the interest of investors and consumers to grant and permit to become effective said applications-declarations and to grant the request of applicants-declarants:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that said applications-declarations, as amended, be,

and hereby are, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 49-6758; Filed, Aug. 18, 1949;  
8:47 a. m.]

[File No. 70-2194]

MILWAUKEE SOLVAY COKE CO.

### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 12th day of August A. D. 1949.

Notice is hereby given that an application has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Milwaukee Solvay Coke Company ("Solvay"), a non-utility indirect subsidiary of American Natural Gas Company, a registered holding company. Applicant designates the third sentence of section 6 (b) of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than August 25, 1949, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request and the issues, if any, of fact or law raised by said application which he desires to controvert or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed to the Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after August 25, 1949, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Solvay proposes, during September, October and November, 1949, to borrow from two Milwaukee banks \$825,000 and to issue in evidence thereof its promissory notes in varying amounts with varying maturities of 90 to 180 days and with an interest rate of not more than 2% per annum.

The application states that the proceeds of the loans, together with \$175,000 to be borrowed during August 1949 pursuant to the exemption available under the first sentence of section 6 (b) of the act, are to be used to finance coal purchases and maintain working capital necessary to carry the company's operations through the first quarter of 1950.

It is stated that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Applicant requests that the Commission's order herein be issued on or before



September 9, 1949, and that it become effective upon issuance.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant Secretary.

[F. R. Doc. 49-6757; Filed, Aug. 18, 1949;  
8:46 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13652]

I. G. FARBEINDUSTRIE, A. G.

In re: Debt owing to I. G. Farbenindustrie, A. G., F-7-2944-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That I. G. Farbenindustrie, A. G., the last known address of which is Frankfurt am Main, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Frankfurt am Main, Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of the American Express Company, 65 Broadway, New York 6, New York, representing a credit balance held on the books of said American Express Company, in the name of J. Randaxhe-Bally, as forwarding agent for I. G. Farbenindustrie, A. G., arising out of a balance of deposit for charges on various export shipments to South America during the period 1939 to 1940, in the amount of \$2,981.82, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, I. G. Farbenindustrie, A. G., the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-6776; Filed, Aug. 18, 1949;  
8:50 a. m.]

[Vesting Order 13654]

TADAICHI KIMURA

In re: Bond and cash owned by Tadaichi Kimura, also known as Tadaichi Oura and as Iwakichi Umino and as Mutso Oura. D-39-5659-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tadaichi Kimura, also known as Tadaichi Oura and as Iwakichi Umino and as Mutso Oura, whose last known address is Asa Kita, 238 Lt., Shizuoka City, Shizuoka Prefecture, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. One (1) United States Series E, Savings Bond, of \$25.00 maturity value, said bond bearing the number Q-14,725,683-E, registered in the name of Tadaichi Kimura, and presently in the custody of the Treasury Department, Fiscal Service, Division of Loans and Currency, Chicago 54, Illinois, and any and all rights thereunder and thereto, and

b. Cash in the sum of \$102.43 presently in the possession of the Treasury Department of the United States in Trust Fund Account #158915 "Deposits, Funds of Civilian Internees and Prisoners of War," in the name of Tadaichi Kimura, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-6741; Filed, Aug. 17, 1949;  
9:01 a. m.]

[Vesting Order 13655]

ALFRED KRAUSE ET AL.

In re: Debts owing to Alfred Krause and others. F-28-30438, F-28-30439.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alfred Krause and Gerda Krause, whose last known addresses are Niederschöneweide, Kolnischestrass 67, Berlin, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Antoin Rychlinski, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation evidenced by a check drawn by the First National Bank and Trust Company on the First National Bank in Tarentum, Tarentum, Pennsylvania, said check numbered 6219, dated December 2, 1948, payable to the order of Department of Justice, Office of Alien Property, in the amount of \$62.36, presently in the custody of the Attorney General of the United States, together with any and all accruals to the aforesaid debt or other obligation and any and all rights to demand, enforce and collect the same, and any and all rights in and under the aforesaid check including the right to present said check for collection and payment,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Gerda Krause, the aforesaid national of a designated enemy country (Germany);

4. That the property described as follows: That certain debt or other obligation evidenced by a check drawn by the First National Bank and Trust Company on the First National Bank in Tarentum, Tarentum, Pennsylvania, said check numbered 6220, dated December 2, 1948, payable to the order of Department of Justice, Office of Alien Property, in the amount of \$231.18, presently in the custody of the Attorney General of the United States, together with any and all accruals to the aforesaid debt or other



obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under the aforesaid check including the right to present said check for collection and payment,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Alfred Krause, the aforesaid national of a designated enemy country (Germany);

5. That the property described as follows: That certain debt or other obligation evidenced by a check drawn by the First National Bank and Trust Company on the First National Bank in Tarentum, Tarentum, Pennsylvania, said check numbered 6218, dated December 2, 1948, payable to the order of Department of Justice, Office of Alien Property, in the amount of \$177.77, presently in the custody of the Attorney General of the United States, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same, and any and all rights in and under the aforesaid check including the right to present said check for collection and payment,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Antoin Rychlin-ski, deceased, the aforesaid nationals of a designated enemy country (Germany); and it is hereby determined:

6. That to the extent that the persons named in subparagraph 1 and referred to in subparagraph 2 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-6742; Filed, Aug. 17, 1949;  
9:01 a. m.]

[Vesting Order 13656]

H. KURIBAYASHI

In re: Bank account owned by H. Kuribayashi. F-39-5646-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That H. Kuribayashi, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of the Fidelity National Bank, Twin Falls, Idaho, arising out of a checking account entitled "H. Kuribayashi, by Semi Kuribayashi," maintained with the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, H. Kuribayashi, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-6777; Filed, Aug. 18, 1949;  
8:52 a. m.]

[Vesting Order 13657]

LA QUIMICA BAYER WESKOTT Y CIA

In re: Debts owing to La Quimica Bayer Weskott y Cia. F-28-23171-C-1; C-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That I. G. Farbenindustrie Aktiengesellschaft, the last known address of which is Frankfurt-am-Main, Germany, is a corporation, association, partnership or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has

had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That La Quimica Bayer Weskott y Cia, is a corporation organized under the laws of Venezuela, whose principal place of business is located at Apartado 827, Caracas, Venezuela, and is, or since the effective date of Executive Order 8389, as amended, has been controlled by or acting or purporting to act directly or indirectly for the benefit of or on behalf of the aforesaid I. G. Farbenindustrie Aktiengesellschaft, and is a national of a designated enemy country (Germany);

3. That the property described as follows:

a. That certain debt or other obligation owing to La Quimica Bayer Weskott y Cia, by General Aniline & Film Corporation, 230 Park Avenue, New York 17, New York, in the amount of \$111.86, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation owing to La Quimica Bayer Weskott y Cia, by Rohm & Haas Company, 222 West Washington Square, Philadelphia 5, Pennsylvania, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by La Quimica Bayer Weskott y Cia, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That the aforesaid La Quimica Bayer Weskott y Cia, is controlled by or acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany);

5. That to the extent that the persons named in subparagraph 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-6778; Filed, Aug. 18, 1949;  
8:52 a. m.]



[Vesting Order 13660]

C. G. OSBORNE

In re: Stock owned by C. G. Osborne. D-39-4771-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That C. G. Osborne, whose last known address is 706 Kaijo Building, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: One Hundred Sixty (160) shares of no par value capital stock of Union Oil Company of Delaware, in dissolution, evidenced by certificate numbered 17353 for 100 shares and certificate numbered 016842 for 60 shares, and registered in the name of C. G. Osborne, together with all declared and unpaid dividends thereon, and any and all rights to receive common stock of Shell Union Oil Corporation under a plan of dissolution adopted October 1922 and to receive cash under an option of June 1927,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-6781; Filed, Aug. 18, 1949; 8:52 a. m.]

[Vesting Order 13662]

SHO YOSHIDA

In re: Debt owing to Sho Yoshida. D-39-12555-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Sho Yoshida, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Sho Yoshida, by Ichimatsu Kihara, 1451 Main Street, Seattle, Washington, evidenced by a note, in the principal sum of \$7,500.00, issued by said Ichimatsu Kihara, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation and any and all accruals thereto, together with any and all rights in, to and under, including particularly the right to possession of, the aforesaid note,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-6783; Filed, Aug. 18, 1949; 8:53 a. m.]

[Vesting Order 13663]

MATHIAS ZILLNER

In re: Cash owned by the personal representatives, heirs, next of kin, legatees and distributees of Mathias Zillner, deceased. D-28-11837-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Mathias Zillner, deceased, who there is reasonable cause to believe are residents of Germany are nationals of a designated enemy country (Germany);

2. That the property described as follows: Cash in the amount of \$120.00 as of June 27, 1949 presently in the custody of The School Sisters of St. Francis, St. Joseph Convent, 1501 South Layton Boulevard, Milwaukee 4, Wisconsin, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the personal representatives, heirs, next of kin, legatees and distributees of Mathias Zillner, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Mathias Zillner, deceased, referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 10, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 49-6784; Filed, Aug. 18, 1949; 8:53 a. m.]